

THE MADRAS LEGISLATIVE ASSEMBLY.

Tuesday, 21st July 1953.

The House met in the Assembly Chamber, Government Estate, Mount Road, at half-past eight of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUGAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Flood Relief in Malabar.

* 777-A Q.—SRI NARAYANA KURUP: Will the Hon. the Minister for Land Revenue be pleased to state the extent of the damage suffered in Malabar on account of the recent floods and the steps taken by the Government to relieve the distress?

THE HON. SRI M. A. MANICKAVELU NAICKER:—“ From the report so far received from the Collector, the extent of damage is as follows:—

- (1) Chirakkal taluk—About 330 houses damaged or destroyed.
- (2) Ponnani taluk—About 135 huts collapsed.
- (3) Kurumbranad taluk—15 or 16 heads of cattle reported to be lost.

“ In Beipur and Badagara, there has been some sea erosion on account of which 147 and 100 coconut trees respectively were uprooted. Full details have not yet been received as communications have been cut off by the floods and the interior places are inaccessible.

“ Grants have been sanctioned to the affected persons for the reconstruction of their damaged or destroyed huts, wherever necessary.”

SRI M. NARAYANA KURUP:—“ This is a matter which cannot be covered by supplementaries. I request a half-hour debate on this, Sir.”

MR. SPEAKER:—“ I have no objection.”

THE HON. SRI C. SUBRAMANIAM:—“ We have got an adjournment motion to be discussed to-day between 4 and 6 p.m. That itself will be a great strain on hon. Members.”

MR. SPEAKER:—“ I totally forgot about it. To-day the House sits from 8-30 a.m. to 1-30 p.m. and then from 4 to 6 p.m. We shall take up the half-hour debate to-morrow.”

THE HON. SRI C. RAJAGOPALACHARI:—“ Is it the idea that half-hour debates can be had for the asking in every case? ”

MR. SPEAKER:—“ In England, it is the case, because no vote is taken and only a few Members take part in the debate.”

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THE HON. SRI C. RAJAGOPALACHARI:—"What are we to do, Sir? We go on complaining there is no rain and pray for it. When it comes we are upset. When it does not come, we object."

SRI T. C. NARAYANA NAMBIAR:—"That is not the matter, Sir . . ."

MR. SPEAKER:—"I have allowed a half-hour debate. No more discussion will be allowed."

Alleged death of Sri Pasupuleti Rangayya in police lock-up of Muthukur Police Station.

* 777-B Q.—SRI K. KRISHNA RAO: Will the Hon. the Chief Minister be pleased to state—

(a) whether it is a fact that a person named Pasupuleti Rangayya of Kakeepalli, Nellore taluk, was arrested on 4th July 1953; whether he was produced before a Court of law subsequently and whether it is a fact that he was found dead in the Police lock up of Muthukur Police Station on 14th July 1953; and

(b) whether it is a fact that the father of the deceased made a representation to the Government about (a) and if so, what action was taken on the said representation?

THE HON. SRI C. RAJAGOPALACHARI:—" (a, & (b) Rangaiah concerned in Burglary Case Crime No. 146 of 1953, Muthukur Police Station, committed suicide in the station lock-up by hanging himself. Government have not received any representation as mentioned in the question. In connection with the question put by the hon. Member, inquiries were made and the facts ascertained are as follows:—

'There was a house-breaking in Kekupalli in Muthukur station limit on 4th July 1953. Rangaiah and two others were suspected. All of them were found to be away from their normal residences and absconding and on 13th July 1953 at about 2 p.m. the Sub-Inspector, Muthukur, traced Rangaiah at Nellore. When he was questioned, Rangaiah gave a statement which led to the recovery of almost the whole property lost. He was sent over to the police station in Muthukur, which he reached with a constable at about 9-30 p.m. After necessary formalities, he was put in the lock up at 10 p.m.

Between 5 and 6 a.m. on the 14th the sentry on duty found Rangaiah hanging inside the cell. The deceased appears to have used his lungi and another cloth for this purpose. As soon as this was noticed, the Joint Magistrate, Gudur, was informed, who arrived and made inquiries. The body was sent for post-mortem and the examination showed that there were no injuries excepting the ligature mark round the neck; the doctor gave his opinion that death was due to asphyxia as a result of hanging. The Joint Magistrate's report has not yet been received.

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'The deceased was 25 years of age, labourer by occupation. He had been convicted before and was an unmarried person. Gold rings and silver chains worth Rs. 300 were recovered in Nellore on his information. These were some of the properties stolen and some more were found at Gundlapatam. The President of the local panchayat, the Board school headmaster of the place and the Medical Officer were the panchayatdars who gave the verdict of suicide. I do not think that at this stage I can give any more information'."

SRI K. KRISHNA RAO:—"Sir, in view of the fact that this lock-up has been the scene of long detentions and molestations of arrested persons, I would request that there should be a half-hour debate upon this very important matter. They are becoming common in Nellore and in many other places."

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a.m.

MR. SPEAKER:—"I refuse to allow a half-hour debate on this question."

THE HON. SRI C. RAJAGOPALACHARI:—"The Government are dealing with such matters all the 360 days. Previous incidents were probably party matters but this is a regular theft case."

SRI K. KRISHNA RAO:—"May I know, Sir, whether this is not a case where a man was arrested and subsequently found dead and then it is reported as a case of suicide?"

THE HON. SRI C. RAJAGOPALACHARI:—"Sir, I cannot help partisan views being taken by hon. Members."

SRI T. VISWANATHAM:—"Sir, the Hon. Chief Minister said that on receipt of the short notice question, Government made enquiries. I want to know whether cases of suicide inside police lock-ups are not reported to Government, as soon as they occur."

THE HON. SRI C. RAJAGOPALACHARI:—"Sir, they are reported and the report in the routine way that has been referred to by Sri Viswanatham did come. That report reached my hands in the usual way and I may tell hon. Members that I read all these reports. As soon as this report was received, I marked it for an enquiry on 18th July. The report was received on 18th July because the Inspector-General of Police got the report on 14th July and it was sent to me in the usual course; I was able to go through it on the 18th July and the same day I marked it for an enquiry. In the meanwhile, the question has come."

SRI V. BALAKRISHNAN:—"Sir, in view of the frequency of such suicides in police lock-ups, will the Government examine the need for removal of instruments helpful to such suicides from the buildings of police lock-ups?"

THE HON. SRI C. RAJAGOPALACHARI:—"Sir, it is not right to assume that they are numerous when compared with the totality of the cases enquired into by the Police and the

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percentage of successful enquiries. If hon. Members will only try to find out and detect one theft case and get the stolen jewels back, they would understand the work that the Police have to do. It is wrong to assume from the reports that the total number is great; the number is insignificant when we have the background of the actual conditions in our mind."

SRI T. VISWANATHAM:—"Have the Government made a note of the number of occasions on which questions of alleged suicides in Police lock-ups have come up before the House and have Government taken any measures to find out the truth or otherwise of such suicides in the police lock-ups?"

THE HON. SRI C. RAJAGOPALACHARI:—"I have gone into it, Sir, with particular attention and concern also. Hon. Members imagine that every allegation against the Government is true. It is not so. As a matter of fact, there are really cases of suicides also. If hon. Members remember that the man was unmarried, was of 25 years of age and committed a theft, that it was successfully discovered and the properties recovered from him, they can understand the 'motive for suicide.'"

SRI T. VISWANATHAM:—"May I ask, Sir, in view of the psychological explanations given by the Hon. Chief Minister, why the man, when he was first convicted, decided not to put an end to his life by suicide?"

THE HON. SRI C. RAJAGOPALACHARI:—"The previous conviction indicates the weakness of the man for theft. But that does not mean that he lost his self-importance and dignity."

SRI P. RAMAMURTHI:—"Sir, has the Hon. Chief Minister come to the conclusion that that must be a case of suicide on *a priori* grounds of psychological make up of the mind?"

THE HON. SRI C. RAJAGOPALACHARI:—"I have come to the conclusion in my own mind so far as this case is concerned from the psychology of the accused. The answers that I got for the questions put by me to the local authorities and the verdict of the very reliable panchayatdars lead me to my opinion. I am waiting for the Joint Magistrate's report."

SRI SAKA VENKATA RAO:—"ఫైదీలు పోలీసు లాకప్పులో ఉండినప్పుడు రాతింబగల్లు వారికొరకు పోలీసు హుకూంబునిచ్చి, అట్లాంటిప్పుడు ఈ ఫైదీలు పురిశీసుకోటానికి ఆవకాశం ఎట్లు కలిగిందో మంత్రిగారు తెలియస్తారా?"

THE HON. SRI C. RAJAGOPALACHARI:—"Sir, the whole matter will be gone into by the Joint Magistrate."

SRI K. VINAYAKAM:—"Sir, the Hon. Chief Minister told us that the man committed suicide by hanging and he used his lungi and another piece of cloth for this purpose. Is it possible for Rangayya to get himself hanged with his lungi, if there were

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no cross bars or other facilities in the lock-up? The existence of such facilities tempts these convicts to commit suicide. Will the Government take proper care to remove such tempting instruments in the lock-ups? "

THE HON. SRI C. RAJAGOPALACHARI:—" Sir, the suggestion of the hon. Member is very useful and important. But the hon. Member is aware of the construction of lock-ups in the country side. They are generally tiled buildings and not modern terraced buildings. A tiled building must stand on trusses. Unfortunately, police lock-ups are not so well built as cinema houses."

SRI PILLALAMARRI VENKATESWARLU:—" Sir, May I know, because the enquiry was carried on by the Police Department, whether the Government are prepared to order a fresh enquiry, a non-official enquiry, to go into the matter, as suicide in the lock-ups has become a general phenomenon, particularly in Andhra side, for, very recently, in my own constituency such incidents had happened? "

THE HON. SRI C. RAJAGOPALACHARI:—" Sir, there is perhaps something in the emotional make up of the area concerned. Whether it is politicians or whether it is criminals or civil people, emotions really guide people."

SRI PILLALAMARRI VENKATESWARLU:—" I am not concerned with that, Sir. The question is whether we can have a non-official enquiry? "

THE HON. SRI C. RAJAGOPALACHARI:—" Sir, I emphatically say that it is impossible to deal with crime by a non-official enquiry. That would increase crimes two-fold."

SRI T. VISWANATHAM:—" Sir, does the report show how many trusses that room contained and by what truss or rafter he hanged himself? "

THE HON. SRI C. RAJAGOPALACHARI:—" Sir, Mr. Vinayakam's suggestion brought in the question of trusses and beams. As a matter of fact the report does not refer to it. The report refers only to the cloth which he used for binding round his neck and hanging by. It is assumed, as Mr. Vinayakam suggested, that there might have been a cross-bar. But there is no reference in the report to any truss or beam. They could not foresee all the details of the discussion here."

SRI K. KRISHNA RAO:—" Is it a fact, Sir, that he was arrested on the 4th and kept in the police custody from the 4th to the 13th? " 8-50 a.m.

THE HON. SRI C. RAJAGOPALACHARI:—" That is, Sir, a lawyer's question. But it is not a fact. As I have already said, he was arrested and sent at night to the police station. A defence vakil naturally says that he was arrested on the 4th and tortured till the 13th and that the police took so much time to kill him."

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SRI T. VISWANATHAM:—"When was he first taken into the lock-up and on what date?"

THE HON. SRI C. RAJAGOPALACHARI:—"Hon. Members think of supplementary questions which they must put and do not listen to me. As I have already said, he reached the police station along with a police constable at about 9-30 p.m. and after necessary formalities he was put in the lock-up at 10 p.m. on that day."

SRI P. RAMAMURTHI:—"Does the Hon. Chief Minister realize that the defence in this case is the police also because they have put in a false story of having arrested the man on the 13th and not on the 4th?"

THE HON. SRI C. RAJAGOPALACHARI:—"This is not a new attitude. The Opposition puts the police always on the defence."

SRI K. KRISHNA RAO:—"Is it not a fact that according to the version of the Hon. Chief Minister that the man has been taken to various places, he must have been arrested much earlier than the 13th at 9-30 p.m.?"

THE HON. SRI C. RAJAGOPALACHARI:—"Is it, Sir, denied by anyone that the stolen properties were found? I have given the most prominent emphasis in this case to the fact that the stolen properties found were of the total value of Rs. 300 including gold rings, etc. We cannot build a case of falsification of evidence on that basis."

SRI T. VISWANATHAM:—"Are the Government convinced that it is a genuine case of suicide after getting the report of genesis from the officers on duty?"

THE HON. SRI C. RAJAGOPALACHARI:—"I am awaiting the report of the Joint Magistrate."

SRI PILLALAMARRI VENKATESWARLU:—"On a point of order, Sir. While replying to the supplementary questions, the Hon. Chief Minister said that the Andhra area was emotional and that was why such cases of suicide were happening there. May I know, from you, Sir, whether the Hon. Chief Minister is in order in replying in that way. He might have some prejudices for particular areas and I do not mind. But I take strong objection to this insinuation and I would like the Chair to give a ruling, Sir."

THE HON. SRI C. RAJAGOPALACHARI:—"I wish to be heard a minute, Sir, on that point. I would not have said it but for the hon. Member who put the question saying 'especially in the Andhra area and especially in my constituency.'"

SRI PILLALAMARRI VENKATESWARLU:—"The point is how careful the Chief Minister should be in replying to questions. Surely, he wanted to insinuate a particular area. He might have his own prejudices. But is he justified in casting

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insinuations on the floor of the House? If you, Sir, are convinced that he is not justified in saying so, I request that he should withdraw his remark."

THE HON. SRI C. RAJAGOPALACHARI:—"What is the point, Sir, of the hon. Member saying 'these things happen particularly in the Andhra area and in my area'?"

SRI T. VISWANATHAM:—"The point which Mr. Venkateswarlu raises is that in spite of provocation the Hon. Chief Minister should not say so."

THE HON. SRI C. RAJAGOPALACHARI:—"I would myself have considered it a commonplace; but Member after Member, politician after politician and friend after friend have been pressing on me the emotional character of the Andhras and in fact they are putting many amendments on that basis."

MR. SPEAKER:—"The word 'emotional' is not an insinuation. Sometimes everybody is emotional."

SRI PILLALAMARRI VENKATESWARLU:—"Whether the use of the word 'emotional' is an insinuation or not is not the question. To say that a particular area is emotional is an insinuation. If we use such words, the Hon. Chief Minister will take strong exception."

SRI K KRISHNA RAO:—"Are the Government aware that a similar case has occurred in Tellicherry also and it is not peculiar to Andhra alone?"

THE HON. SRI C. RAJAGOPALACHARI:—"The hon. Member should correct his colleague, Mr. P. Venkateswarlu."

Punishment of certain constables in Madras City.

* 778 Q.—SRI M. KALYANASUNDARAM: Will the Hon. the Chief Minister be pleased to state—

(a) the number of constables in Madras City who have been discharged or removed from service after the 2nd of January 1953 up to date;

(b) the number of constables in Madras City who have been suspended and whose cases are still pending enquiry;

(c) the number of constables in the City who have been punished otherwise than either by dismissal, discharge from service or suspension; and

(d) the number of constables in the City who have been dismissed without any enquiry?

THE HON. SRI C. RAJAGOPALACHARI:—" (a) to (d) A statement " is placed on the table of the House."

SRI V. BALAKRISHNAN:—"How many of the causes that inspired the police constables on a short term adventure were on

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the file of consideration of the Government and for how long and how many of them were subsequently rectified after this adventure? ”

THE HON. SRI C. RAJAGOPALACHARI:—“ This has nothing to do with the strike. The hon. Member is probably confusing the question with another thing. This is a question of statistical gathering of all information as to quite a different set of cases, viz., neglect of duty, desertion, receiving illegal gratification, etc.”

SRI N. K. PALANISAMI:—“ During 1946 about 40,000 police constables struck work in U.P. for higher salaries and certain privileges and their demands were met afterwards. Why in this City alone . . . ”

MR. SPEAKER:—“ This question is about departmental arrangements and not about strikes.”

Agencies for supplying medicines to Government hospitals.

* 779 Q.—SRI K. C. GOPALAN UNNI: Will the Hon. the Minister for Health be pleased to state—

(a) who are the agencies for supplying medicines to Government and Local Boards' Hospitals and dispensaries;

(b) whether it is a fact that 50 per cent of the allotment to each medical institution is spent on packing and freight, etc.; and

(c) what steps the Government have taken to see that the expenditure on packing and transport is reduced?

THE HON. SRI A. B. SHETTY:—“ (a) The main source for obtaining the medicines required for Government, Local Fund and Municipal Medical Institutions is the Medical Stores Depot, Madras. In the case of medicines which could not be obtained from this depot, they are purchased from local markets subject to safeguard regarding quality and price.

“ (b) No.

“ (c) The necessity for considering this question has not so far arisen.”

SRI K. C. GOPALAN UNNI:—“ What is the percentage spent on packing, etc., for medicines bought from the Medical Stores Depot, Madras? ”

THE HON. SRI A. B. SHETTY:—“ It is not a fact, Sir, that 50 per cent is spent on packing, freight charges, etc. The expenses on these 2 items is only a small proportion. For instance the headquarters hospital at Salem last year purchased medicines from the Medical Stores Depot, Madras, worth Rupees 1,73,998 and the total expenditure incurred on packing, freight charges, etc., was only Rs. 4,538.”

SRI S. NARAYANAPPA:—“ Sir, the Medical Stores Depot is supplying medicines to all the headquarters hospitals and also to

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the hospitals maintained by the local bodies. May I know, Sir, whether the Government have any control over the Medical Stores Depot? "

THE HON. SRI A. B. SHETTY:—" Sir, the Medical Stores Depot is a Central Government institution. Since the last eight months, the Medical Stores Depot is meeting promptly the indents placed on them and is sending about 90 per cent of the indents."

DR. K. B. MENON:—" The purchase of medicines involves a huge amount. What is the method the Government adopts in the selection of the company from which these medicines are bought? Is there a system of calling for tenders? "

THE HON. SRI A. B. SHETTY:—" As I said, Sir, about 90 per cent of the medicines required by the various institutions are supplied by the Medical Stores Depot. As regards medicines which could not be got from the Medical Stores Depot, they are got from reliable firms."

SRI A. APPU:—" Have the Government received complaints 9 a.m. that several kinds of medicines received from the depot are of bad quality and are, therefore, ineffective? "

THE HON. SRI A. B. SHETTY:—" I have said that since the last eight months there has been a very great improvement in the supply. There have been no complaints about the quality of the drugs supplied."

SRI M. NARAYANA KURUP:—" Inasmuch as the Medical Stores Depot was the creation of war emergency and the quotations of the institution are on an average much higher than the quotations in the open market, might I ask why the local bodies with meagre resources, should be compelled to make their purchases from the Depot? "

THE HON. SRI A. B. SHETTY:—" Even when the Medical Stores buy medicines in the open market, they supply such medicines on a no profit and no loss basis."

SRI R. KRISHNAN:—" May I know, Sir, who are the agencies for supplying medicines for the Ayurvedic dispensaries in the district boards; do the doctors send their indents to those agents or to any special department created for this purpose? "

THE HON. SRI A. B. SHETTY:—" I suggest that a separate question may be asked, Sir."

SRI V. K. RAMASWAMY MUDALIYAR:—" Might I ask, Sir, if the State Government will take over control of the Medical Stores Depot inasmuch as they have no control over this department and much delay is caused in the supply of various medicines to the local board and Government hospitals and dispensaries."

THE HON. SRI A. B. SHETTY:—" It was so in the past, Sir, and I have already stated that for the last eight months, there has been a very great improvement and defects have been rectified to a very great extent."

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* 780 Q.—SRI V. BALAKRISHNAN:—"I do not put the question, Sir."

Recruitment of Sub-Inspectors of Police.

* 781 Q.—SRI P. RANGASWAMI REDDIAR: Will the Hon. the Chief Minister be pleased to state—

(a) the number of persons recruited as Sub-Inspectors of Police, during 1948-52;

(b) how many of them completed training in the Police Training School; and

(c) how many of them are absorbed in Government Service (figures may be given communitywar)?

THE HON. SRI C. RAJAGOPALACHARI:—" (a) to (c) A statement * showing the particulars is placed on the table of the House."

SRI M. VEERABHADRAM:—" Column (2) of the statement laid on the table of the House says that 826 sub-inspectors have been recruited during the period 1948-52; I ask if it is in proportion to the vacancies caused during the same period."

THE HON. SRI C. RAJAGOPALACHARI:—" I am afraid I have to explain the whole of the case to hon. Members. The number of people recruited in each year has been added and given here. The policy in each year might have varied a little from the previous year; it is not only the number of vacancies that is taken into consideration but also the number of promotions that have to be given to those below and all things taken together, a certain number is recruited directly."

SRI M. S. MOGRAL:—" May I know whether the Government would stop the direct recruitment of sub-inspectors until all the head constables who have had Sub-Inspector's training have been absorbed? "

THE HON. SRI C. RAJAGOPALACHARI:—" That has been done temporarily in order to make up the balance."

SRI P. VENKATASUBBIAH:—" May I know what the qualifications prescribed for Sub-Inspectors are and whether there is any relaxation with regard to Scheduled Caste candidates? "

THE HON. SRI C. RAJAGOPALACHARI:—" The hon. Member will notice from the statement that 78 candidates of the Backward Classes have been recruited and 70 Scheduled Caste candidates have been recruited. He will see that that is the result of reservation. About the question of qualifications, the hon. Member may put a separate question if he considers it necessary and he can easily get it from the Government papers."

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SRI L. LAKSHMANDASS:—"In view of the reversion of a large number of Police Sub-Inspectors, will the Government consider discontinuance of direct recruitment for the post for one or two years?"

THE HON. SRI C. RAJAGOPALACHARI:—"They have not only considered it but done it."

SRI KUNHI MUHAMED SHAFEE:—"May I know, Sir, whether the principle of communal ratio was adhered to in these recruitments?"

THE HON. SRI C. RAJAGOPALACHARI:—"These are the figures from 1948-52 and I do hope that I will raise the number of Muslims in the future."

Fee concessions to the Vanniyakula Kshatriya students.

* 782 Q.—**SRI K. R. VISWANATHAN:** Will the Hon. the Minister for Law be pleased to state—

(a) whether under G.O. No. 3915, Home, dated 26th September 1949, Padaiyatchies of the southern districts otherwise described as Vanniyakula Kshatriyas in records are entitled to full fee concessions;

(b) whether the Criminal Tribes Act is applicable to them;

(c) if so, from which date; and

(d) if not, from when?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—" (a) The answer is in the affirmative.

" (b) The Criminal Tribes Act was repealed with effect from 28th April 1948 and it is therefore not now applicable to any tribe or caste in this State.

" (c) & (d) Do not arise."

SRI K. R. VISWANATHAN:—"Mr. Speaker, Sir, in pursuance of the Government Order quoted in my question a circular has been sent to all headmasters of all the high schools in the State containing a list of communities which are eligible for full fee concession. A reference in this connection was made by the headmasters and the presidents of the district boards concerned to the Government but no reply has so far been received. It is stated in the circular that communities which are hitherto known as criminal tribes only are eligible for the concession. Since the Hon. Minister says that the Vanniyakula Kshatriyas are eligible for full fee concession now, may I know whether this community was hitherto known as a criminal tribe?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"They were included in it and I may tell the hon. Member that full fee concession at all stages of education is granted to them."

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Implementation of the report of the Geologist according to G.O. Ms. No. 1326, Development, dated 29th March 1953.

* 783 Q.—SRI VAVILALA GOPALAKRISHNAIAH: Will the Hon. the Minister for Industries and Labour be pleased to state the decision taken by the State Government on the implementation of the proposals recommended by Sri Krishnaswami, Geologist, in his report (vide G.O. Ms. No. 1326, Development, dated 29th March 1952)?

THE HON. DR. U. KRISHNA RAO:—“ Sri Krishnaswamy in his report has suggested among others, the starting of the following industries as measures for amelioration of the condition of the hill tribes in the Agency tracts—

- (1) Coal mining industry, after carrying out trial borings in 12 places if such trials go to prove the existence of coal.
- (2) Starting of ceramic and paint industries near Araku.
- (3) Starting of a pencil factory as an adjunct to the Andhra Paper Mills, at Rajahmundry.
- (4) Starting of a cement industry at Bhadrachalam.

Item (1).—The Government have decided to take up the investigation of coal deposits in Godavari Valley in 1954 as no financial provision could be made in the budget for 1953-54.

Item (2).—The prospects of ceramic and paint industries near Araku are not considered economic at present.

Item (3).—The starting of a pencil factory was not considered promising in view of the quality of graphite and the non-availability of suitable woods. It was however considered that beneficiation of graphite with a view to use it in the crucible industry was more promising. The Director of Industries and Commerce has been asked to submit necessary proposals for laboratory and pilot experiments. His proposals are awaited.

Item (4).—It is considered that the cement industry need not be sponsored at present in view of the sufficiency of existing production.”

SRI VAVILALA GOPALAKRISHNAIAH:—“ May I know what are the other recommendations and what the Government propose to do especially about cottage industries? ”

THE HON. DR. U. KRISHNA RAO:—“ The hon. Member may put a separate question, Sir, to the Hon. Minister for Rural Welfare.”

SRI VAVILALA GOPALAKRISHNAIAH:—“ I think industries cover cottage industries also.”

THE HON. DR. U. KRISHNA RAO:—“ May I tell the hon. Member that cottage industries is dealt with by my Hon. Colleague Sri Pattabhi Rama Rao? ”

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SRI T. VISWANATHAM:—"Will the Hon. Minister for Rural Welfare enlighten the House as to what are the cottage industries which he proposes to introduce as a result of these recommendations?"

THE HON. DR. U. KRISHNA RAO:—"I dare say if sufficient notice is given to my Hon. Colleague, he will satisfy the Opposition."

SRI T. VISWANATHAM:—"I am asking his Hon. Colleague."

MR. SPEAKER:—"But he is not here."

Reconstruction of Veeraparagrama tank anicut in Tirunelveli district.

* 784 Q.—**SRI P. URKAVALAN:** Will the Hon. the Minister for Public Works be pleased to state— 9-10 a.m.

(a) whether the Government have taken up the reconstruction scheme of the Veeraparagrama tank anicut at Nikshabavanthi of Karivalamvandanallur village of Sankarankoil taluk of Tirunelveli district; and

(b) if so, what is its present stage and what is the cause for not yet completing the scheme?

THE HON. SRI N. RANGA REDDI:—" (a) & (b) A proposal to carry out improvements to the anicut as permanent remedial measures is under investigation by the Public Works Department."

Repairs to the road from Payyanur to Pallichal, North Malabar.

* 785 Q.—**SRI K. P. GOPALAN:** Will the Hon. the Minister for Local Administration be pleased to state when the repairing of the road from Payyanur to Pallichal in North Malabar will be completed?

THE HON. SRI N. SANKARA REDDI:—"The annual repairs to the road from Payyanur to Pallichal for 1952-53 have been completed."

Amount sanctioned for the Nellore district under the Five-Year Plan.

* 786 Q.—**SRI B. RAMAKRISHNA REDDI:** Will the Hon. the Chief Minister be pleased to state—

(a) the amount that has been sanctioned to the Nellore district under the Five-Year Plan; and

(b) the various works that are contemplated year by year?

THE HON. SRI C. RAJAGOPALACHARI:—" (a) The Five-Year Plan is not drawn up districtwise and no specific amount is allocated to the Nellore district. Recently a sum of Rupees 1,29,100 has been allotted to this district from the grant of 40 lakhs made by the Government of India for the programme of local development."

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“(b) The schemes which will benefit the Nellore district are as follows:—

- (1) Rallapad Irrigation Scheme—Second stage.
- (2) Establishment of a block glass plant at Gudur.
- (3) Vattambedu Salvage Scheme.

The Salvage Scheme is already functioning and the other two schemes are in progress.”

Number of deaths in jails in 1951.

* 787 Q.—SRI P. RANGASWAMI REDDIAR: Will the Hon. the Minister for Law be pleased to state—

(a) the reasons, if any, for the increase in the number of deaths in jails in 1951 over that in 1950; and

(b) whether the increase of sickness in jails from 242.53 to 281.77 from 1950 to 1951 is due to want of proper medical attendance or due to any other reason or reasons?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“(a) The increase in the mortality rate was due to an increased number of deaths due to Myocarditis in 1951 and also due to the fact that most of the prisoners were anaemic and debilitated and some of them old aged at the time of admission to Jails.

“(b) The increase in the incidence of sickness in Jails in 1951 was not due to want of proper medical attendance but due to the fact that most of the prisoners were in a poor and neglected state of health at the time of admission and some of them had chronic diseases and required hospitalization in the Jail even from the time of admission.”

SRI S. DEIVASIGAMANY:—“Sir, is it a fact that most of these prisoners suffer from some sickness or other because they are supplied with mixed diet which they are unable to relish?”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“It is not a fact, Sir.”

SRI P. RANGASWAMI REDDIAR:—“May I know whether these deaths include any case of suicide and whether the health of the prisoners improves or decreases after admission to the jails?”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“Decidedly it improves.”

SRI K. RAJAGOPALA RAO:—“May I know, Sir, what steps the Government have taken to arrest the increasing sickness and to provide proper medical facilities to the prisoners?”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“Every arrangement is being made, Sir.”

SRI M. KALYANASUNDARAM:—“Out the total cases of mortality, how many are due to shooting and lathi-charge and tortute by the jail officials?”

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THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"A separate question may be put, Sir, because this covers a period wherein nothing of that sort has happened."

Value of timber removed from Government forests.

* 788 Q.—**SRI K. MADHAVAN NAMBIAR:** Will the Hon. the Minister for Agriculture be pleased to state—

(a) the number of cubic feet of timber removed by contractors from Government forests in 1951-52;

(b) the value of the timber removed, reckoned at the prevailing market rates; and

(c) the lease amount realized by the Government for the removal of the timber mentioned in (a)?

THE HON. DR. NAGAN GOUDA:—" (a) 1,581,879 cubic feet.

" (b) Rs. 46,25,273, and

" (c) 24,86,333."

District Munsifs.

* 789 Q.—**SRI M. CHADAYAN:** Will the Hon. the Minister for Law be pleased to state the number of District Munsifs recruited directly from the Bar and the number recruited from services since 1st January 1948 and how many of them are Harijans, and how many qualified Harijans had applied?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"Since 1948, 125 candidates have been appointed regularly as District Munsifs of whom 26 were selected from among war service candidates, 81 were recruited directly from the Bar and 18 from among service candidates. Only three qualified Harijans had applied and they were selected."

SRI M. CHADAYAN:—"സാർ, എന്താണ് അവസാനമായി സർവീസ് കമ്മീഷൻ മുൻസിഫ്മാരെ തിരഞ്ഞെടുത്തിട്ടുള്ളത്? അതിനുശേഷം ഹൈക്കോടതി രാജ്യാധികാരികൾ ഈ ഉദ്യോഗസ്ഥന്മാരെ എത്രപേരെ നിയമിച്ചിട്ടുണ്ട്. അതിൽ എത്ര പേരും ഹരിജനങ്ങളുണ്ട്?"

MR. SPEAKER:—"The hon. Member is putting a series of questions. He must put only one question at a time."

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"ചേരെ ഒരു ചോദ്യം രുന്നാൽ അതിനു ഉത്തരം പറയാം. ഇതിൽ ചെട്ടിയെ ആ ചോദ്യം."

SRI K. VINAYAKAM: Will the Government consider the desirability of recruiting the District Munsifs through the Public Service Commission instead of through the Judicial authorities?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—

"I am afraid the hon. Member has not understood the position. The recruitment of District Munsifs can be made only through the Public Service Commission and it is done like that only."

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SRI KUNHI MUHAMED SHAFEE:—"May I know whether it is a fact that the High Court had made proposals in the years 1951 and 1952 for creating certain additional posts of District Munsifs but that the Government did not make those appointments in those years and now this year without any fresh proposals from the High Court the Government have appointed certain additional District Munsifs?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"The Government do not appoint additional District Munsifs unless the High Court recommends such appointment, Sir."

SRI V. R. NAGARAJAN:—"Sir, among the District Munsifs recruited from 1948 up to now, how many are still temporary and whether there is any likelihood of their being made permanent?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"Of course, when permanent vacancies arise, some of them will be made permanent. Until permanent vacancies arise, the others will not be made permanent because they are only temporary posts to which recruitment is made."

SRI T. C. NARAYANA NAMBIAR:—"സാർ, ബാറിൽനിന്നു 81 പേരെയാണ് മുൻസിഫ്മാരായി തിരഞ്ഞെടുത്തു കൂടുതൽ എന്ന് ബഹുമാനപ്പെട്ട മന്ത്രി പറഞ്ഞു. എന്നാൽ ബാറിൽനിന്നു മുൻസിഫ്മാരെ തിരഞ്ഞെടുക്കുന്നതിന്നുള്ള യോഗ്യതകൾ എന്തെല്ലാമാണ്? അവ അളക്കുവാനുള്ള മാനദണ്ഡമെന്താണ്?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"The recruitment is made by the Public Service Commission as per rules framed by the Government and the High Court."

SRI M. KALYANASUNDARAM:—"May I know, Sir, the method employed by the Government to introduce changes in the selection made by the Public Service Commission?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"We have no method of changing the present system. The method is worked out and adopted by the Public Service Commission which is part of the Government."

SRI S. DEIVASIGAMANY:—"Is there any relaxation of age-limit with regard to the recruitment of Harijans and backward classes?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"Certainly, there is relaxation of age-limit."

SRI V. R. NAGARAJAN:—"What is the number of temporary munsifs?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"A separate question may be put, Sir."

* 790 Q.—

MR. SPEAKER:—"This question will be taken up to-morrow."

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Permission given to Bharat Salt Works, Visakhapatnam, for salt manufacture.

* 791 Q.—SRI M. VEERABHADRAM: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that the District Collector, Visakhapatnam, gave permission to Bharat Salt Works, Visakhapatnam, to manufacture salt in the swamp area supposed to be within the limits of Chipurupalli estate in Anakapalle taluk; and

(b) if so, whether he satisfied himself that the swamp area is within the limits of Chipurupalli estate?

THE HON. SRI M. A. MANICKAVELU NAICKER:—“(a) Yes. The Collector gave the permission to Bharat Mining and Company, Visakhapatnam.

“(b) The permission given by the Collector concerns lands in Cheepurupali village only.”

Water-supply schemes in Madras City.

* 792 Q.—SRI S. VEMIAH: Will the Hon. the Minister for Health be pleased to state whether 16 water-supply schemes were submitted to Government by the Corporation of Madras and how many of them have been approved by the Government of Madras and included in the Five-Year Plan? 9-20 a.m.

THE HON. SRI A. B. SHETTY:—“Two statements* one showing the list of water-supply schemes already sanctioned by Government and taken up for execution and the other showing the list of new schemes proposed to be taken up in the five year period from 1951-52 to 1955-56 as forwarded by the Corporation of Madras are placed on the table of the House. Of the schemes mentioned in Statement II, items 2 and 4 have been sanctioned by Government and item 3 is under the consideration of the Government.”

SRI K. VINAYAKAM:—“Are the Government aware of the fact that whenever the Corporation applies to them for provision of more taps in the western and northern portions of the City, the Secretariat officials, having developed an antipathy for the western and northern portions, always refuse to give permission?”

THE HON. SRI A. B. SHETTY:—“I am not aware of any instances to justify the very uncharitable accusation made by the hon. Member.”

Bonus applications in Nellore district.

* 793 Q.—SRI B. RAMAKRISHNA REDDI: Will the hon. the Minister for Finance be pleased to state—

(a) whether any bonus applications are still pending disposal in Nellore district; and

(b) if so, the reasons therefor?

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THE HON. SRI C. SUBRAMANIAM:—“(a) None of the bonus applications received in time is pending disposal in Nellore district.

“(b) The question does not arise.”

SRI B. RAMAKRISHNA REDDI:—“Sir, my case there. I must be paid Rs. 500.”

THE HON. SRI C. SUBRAMANIAM:—“I have answered that none of the bonus applications received in time is pending disposal in Nellore district. I do not know whether the application of the hon. Member comes within the category of applications received out of time.”

SRI B. RAMAKRISHNA REDDI:—“May I know the time-limit fixed for the receipt of applications?”

THE HON. SRI C. SUBRAMANIAM:—“The time-limit fixed was 15th June 1952 for the receipt of bonus applications from producers and 15th July 1952 for the receipt of bills from the procuring agents.”

SRI K. KRISHNA RAO:—“The question was how many applications were received and at what stage they stood. It is immaterial whether they were received in time or out of time.”

THE HON. SRI C. SUBRAMANIAM:—“It is immaterial to the hon. Member whether they were received in time or out of time. As far as the Government are concerned, they fixed a time limit for the receipt of applications and the amount due has been paid in respect of all applications received with that time.”

* 794 Q.—

MR. SPEAKER:—“This question will be taken up to-morrow.”

Separation of the Judiciary from the Executive.

* 795 Q.—SRI M. NARAYANA KURUP: Will the Hon. the Minister for Law be pleased to state—

(a) whether there has been any change in the policy of the Government towards the scheme of separation of Judiciary from the Executive; and

(b) what are the steps so far taken by the Government in the light of observations made by the Committee that was appointed to go into the working of the scheme of separation of Judiciary from the Executive, to remove the defects and improve the standard of administration of criminal justice?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—

“(a) The hon. Member is referred to the answer given to clause (b) of his starred question No. 193 (593) on the 26th March 1953. There has been no change in the policy.

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“(b) As a necessary preliminary to the taking of decisions on the various recommendations of the Committee, Government have called for the views of the relevant heads of departments.”

SRI M. S. MOGRAL:—“ May I know when the separation of the Judiciary from the Executive will be introduced in the West Coast districts? ”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—
“ As soon as possible. It may take a month or two.”

SRI M. NARAYANA KURUP:—“ If there is no change in the policy of the Government, may I know the number of non-separation districts when this Ministry assumed office and the number of districts to which the separation scheme has been extended since then? ”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—
“ The hon. Member knows that in the meantime a committee was appointed to go into the working of the scheme. We are examining the report of that committee, and the question of extension will be taken up only after we finalise our view as to how and in what manner we should implement the scheme.”

SRI M. NARAYANA KURUP:—“ Inasmuch as the question of extension to other districts was not within the purview of the committee, may I know why there has been such a long delay in extending the scheme to other districts if there has been no change in the policy of the Government? ”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“ It is because we want to avoid the mistakes noticed in the past and extend the scheme devoid of all mistakes.”

SRI V. R. NAGARAJAN:—“ Is it a fact that the Government are generally unwilling to extend the scheme to other districts? ”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“ It is not a fact.”

SRI R. SIDDANNA GOWD:—“ Are the Government aware that there are inordinate delays in the disposal of criminal cases by Judicial Magistrates and how are the Government going to avoid these delays? ”

MR. SPEAKER:—“ What has this supplementary question to do with the main question which is about the separation of the Judiciary from the Executive? ”

SRI B. SANKARAYYA:—“ కమిటీ రిపోర్టు ప్రభుత్వానికి ఇంకా ముపేసదా లేదా ? ఆ రిపోర్టుల మీద ప్రభుత్వంవారు ఏమి అభిప్రాయం ఇచ్చారు ? ఇంతవరకూ ఏమి చర్య తీసుకోవలసివోలేదా ? ”

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SRI K. VINAYAKAM:—"The question put by the hon. Member is: Has the committee sent its report and what is the action that the Government have taken on its recommendations?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"I have submitted that the report of the committee is being examined by the Government. Without examining the report, it is not possible to implement the recommendations."

SRI C. H. KANARAN:—"In fact, there is a change in the policy of the Government in regard to the separation of the Judiciary from the Executive. May I know the reason for it?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"The hon. Member thinks so because he is prejudiced against the Government."

SRI R. SIDDANNA GOWD:—"Sir, clause (b) of the question refers to the removal of defects and the improvement of the standard of administration of criminal justice. My supplementary question as to whether the Government are aware that there are inordinate delays in the disposal of criminal cases by Judicial Magistrates and how the Government are going to avoid these delays is perfectly in order as a supplementary question within the purview of clause (b)."

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"The Government are not aware of such a state of things. If individual cases are brought to the notice of Government, they will try to remove the delays."

SRI M. NARAYANA KURUP:—"Inasmuch as the administration of criminal justice in non-separation districts has been characterised as disgraceful by the committee, may I know why the Government are hesitating to extend the separation scheme?"

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—"I am sorry the hon. Member has not followed attentively the reply given by me. The Government are not hesitating. They are only considering the defects that have to be rectified before extending the scheme to other districts. The Government want to extend the scheme to other districts and in answer to clause (a) I have said that there has been no change in the policy."

Alleged irregularities in the Minor Panchayat Board Elections.

* 796 Q.—**SRI K. VENKAIAH:** Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether any reports have been received by the Government and the Inspector of Municipal Councils and Local Boards in relation to fraud in the counting of votes in the Minor Panchayat Elections committed by Election Officers and the nature of the irregularities committed; and

(b) if so, in relation to how many elections and what steps have been taken on such reports?

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THE HON. SRI N. SANKARA REDDI:—“(a) & (b) Allegations of partiality and fraud on the part of Election Officers in counting of votes among other things have been received from time to time. But in the absence of findings after due inquiry by Election Commissioners, the only authorities constituted to enquire into such allegations on petitions filed by the aggrieved parties, Government are unable to accept such allegations at their face value.”

MR. SPEAKER:—“We can take up the next question also, because it also relates to the same subject.”

Allegations against officers in charge of Minor Panchayat Elections.

* 797 Q.—SRI K. R. VISWANATHAN: Will the Hon. the Minister for Local Administration be pleased to state the number of election cases alleging partiality on the part of the election officer in the matter of counting votes in the recent elections to the minor panchayats?

THE HON. SRI N. SANKARA REDDI:—“Representations have been received upto 15th May 1953 in 32 cases, alleging partiality on the part of election officers in the counting of votes. Election Commissioners are the duly constituted authorities to enquire into such allegations. In the absence of their findings, Government are unable to accept such allegations at their face value.”

MR. SPEAKER:—“I have already allowed a half-hour debate on this subject.”

SRI K. R. VISWANATHAN:—“Sir, in view of the fact that these election officers have not been beyond suspicion, will the Government consider the advisability of appointing tellers on both sides so long as the system of open voting continues?” 9.30 a.m.

THE HON. SRI N. SANKARA REDDI:—“Similar allegations can be made against tellers also.”

MR. SPEAKER:—“Question hour is over. Answers to the rest of the questions will be printed in the proceedings.”

Water scarcity in villages under Appapuram Project.

* 798 Q.—SRI K. VENKAIAH: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether any petitions have been received by the Government from the ayacutdars of Kakumanu and Kondapatur, etc., villages under Appapuram Project in Bapatla taluk regarding water scarcity; and

(b) if so, the action taken on them?

THE HON. SRI N. RANGA REDDI:—“(a) A representation was received on behalf of the ayacutdars of the villages.

“(b) The request was complied with to the extent possible.”

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Financial assistance from the Central Government during 1947-53.

* 799 Q.—SRI P. RANGASWAMI REDDIAR: Will the Hon. the Minister for Finance be pleased to state the nature and extent of financial assistance demanded by the Madras Government from the Central Government during the years 1947-53 and how the demand was met and to what extent?

THE HON. SRI C. SUBRAMANIAM:—“ A statement ^a is laid on the table of the House.”

Construction of a bridge at Chettuvai, Ponnani taluk.

* 800 Q.—DR. K. B. MENON: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether detailed report and estimates of cost for the construction of a bridge at Chettuvai, Ponnani taluk, Malabar district, have been received; and

(b) whether the Government have received any contribution from the Producers-cum-Consumers Co-operative Societies of Ponnani for the said purpose?

THE HON. SRI N. SANKARA REDDI:—“(a) No.

“(b) The excess collections made by the Producer-cum-Consumers Co-operative Societies of Ponnani taluk in respect of rice sold to consumers during 1947-48 have been recovered and the amount will be made available for the construction of the bridge when necessary.”

Construction of Chettuvai Bridge, Ponnani taluk.

* 801 Q.—SRI P. K. GOPALAKRISHNAN: Will the Hon. the Minister for Local Administration be pleased to state—

(a) when the construction of Chettuvai bridge in Ponnani taluk, Malabar district, will be taken up;

(b) the estimated cost of the construction of the bridge; and

(c) the steps taken by the Government so far in the matter?

THE HON. SRI N. SANKARA REDDI:—“(a), (b) & (c) The estimate for the construction of the bridge referred to is being prepared by the Chief Engineer (Highways.) The question of sanctioning the work for execution will be considered as soon as the estimates are ready.”

Admission for Research Fellowships of the Madras University.

* 802 Q.—SRI K. KRISHNA RAO: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that considerations other than aptitude, merit and urge for knowledge are taken into consideration by the

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Principal, Madras Veterinary College, in recommending students for admission for research fellowships of the Madras University; and

(b) whether there are any set of rules to regulate the conduct of the Principal, Veterinary College, Madras, in particular and the Principals of the various Government Educational and Technical institutions in general in forwarding applications and for making recommendations for research studentships of the Universities?

THE HON. DR. R. NAGAN GOUDA:—“(a) No, Sir.

“(b) None, Sir.”

Labour schools in Wandiwash taluk.

* 803 Q.—SRI D. DASARATHAN: Will the Hon. the Minister for Education be pleased to state whether the Government have any proposal to open new Labour Schools in Wandiwash taluk?

THE HON. DR. M. V. KRISHNA RAO:—“There is no proposal at present under the consideration of the Government.”

Inclusion of Periya village in Hosdrug Zone, South Kanara, for food supplies.

* 804 Q.—SRI M. NARAYANA NAMBIAR: Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have received representations from Periya village in Kasaragod taluk, South Kanara district, to include that village in Hosdrug zone regarding food supplies; and

(b) if so, what action has been taken in the matter?

THE HON. SRI C. SUBRAMANIAM:—“(a) The answer is in the affirmative

(b) The Government have ordered the inclusion of the village in the Malabar-Nilgiris-Hosdrug zone.”

Exemption from payment of the enhanced dearness allowance by Textile Mills in Malabar.

* 805 Q.—SRI T. C. NARAYANA NAMBIAR: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether it is a fact that some Textile Mills in Malabar are exempted from implementing the enhanced dearness allowance; and

(b) the names of the exempted mills?

THE HON. DR. U. KRISHNA RAO:—“(a) The Tripartite Textile Inquiry Committee did not consider that some mills should pay enhanced dearness allowance. The Government therefore did not suggest to these mills to raise their dearness allowance.

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“(b) These mills are—

- (1) Cannanore Spinning and Weaving Mills, Limited, Cannanore.
- (2) Commonwealth Weaving Factory, Cannanore.
- (3) Kulapuram Weaving Establishment, Mandur, Payan-gadi.
- (4) Thunoli Mills, Ltd., Cannanore.
- (5) Kutibia Oil and Textile Mills, Azhikode.”

District Headquarters Hospital, Eluru.

* 806 Q.—SRI M. RAJESWARA RAO: Will the Hon. the Minister for Health be pleased to state—

(a) the total amount spent on the building construction of the West Godavari District Headquarters Hospital at Eluru as on 31st March 1952 and up to 31st December 1952;

(b) whether it is a fact that further construction of the Hospital has been ordered to be stopped; and

(c) if so, the reasons why?

THE HON. SRI A. B. SHETTY:—“(a) Rs. 8,28,336 and Rs. 10,83,575.

“(b) The answer is in the negative.

“(c) Does not arise.”

Transfer of Communist prisoners from Cannanore Central Jail.

* 807 Q.—SRI K. P. GOPALAN: Will the Hon. the Minister for Law be pleased to state whether it is a fact that the Communist convicted prisoners in Cannanore Central Jail were transferred to Cuddalore Central Jail recently; and if so, what were the reasons for the same?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“The answer to the first part of the question is in the affirmative.

“The Government do not consider it advisable in the public interest to state the reasons for the transfer.”

Exemption from the operation of the Madras Preservation of Private Forests Act for growing foodgrains.

* 808 Q.—SRI V. R. KRISHNA AYYAR: Will the Hon. the Minister for Land Revenue be pleased to state whether the Government have received any representations in 1952 or 1953 from any Members of the Legislative Assembly in Malabar or cultivators' organizations in Malabar requesting Government to exempt cultivators from the operation of the Madras Preservation of Private Forests Act in the matter of growing foodgrains?

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THE HON. SRI M. A. MANICKAVELU NAICKER:—“A memorandum on the subject from Sri V. R. Krishnan, M.L.A., was received on 6th August 1952. The Government do not consider it possible to comply with his request, and have separately informed the M.L.A. accordingly.”

Harijan students in Teachers' Training Schools and Colleges in Coimbatore district.

* 809 Q.—**SRI P. G. MANICKAM:** Will the Hon. the Minister for Education be pleased to state—

(a) what is the total number of Harijan students (boys and girls) studying in the Colleges and Higher and Secondary Grade Teachers' Training Schools in the Coimbatore district; and

(b) whether the Government have remitted their examination fees?

THE HON. DR. M. V. KRISHNA RAO:—“(a) The total number of Harijan students studying in the Colleges and Training Schools in Coimbatore district are—

Colleges (Arts and Professional).		Secondary Grade Training Schools.		Higher Elementary Grade Training Schools.	
Boys.	Girls.	Boys.	Girls.	Boys.	Girls.
(1)	(2)	(3)	(4)	(5)	(6)
71	..	6	1	14	6

“(b) Yes, in respect of three boys in the Government College of Technology, Coimbatore.”

Rice stock in the Cheruvathur Co-operative Stores.

* 810 Q.—**SRI T. C. NARAYANA NAMBIAR:** Will the Hon. the Minister for Finance be pleased to state—

(a) whether he has received reports that the Cheruvathur Co-operative Stores have no rice stock to be distributed to the consumers with effect from 22nd March 1953 and if so, what action has been taken; and

(b) whether it is a fact that in Hosdrug sub-taluk rice is short or completely nil in the godowns of the Co-operative Stores through which rice is distributed?

THE HON. SRI C. SUBRAMANIAM:—“(a) No.

“(b) On account of abnormal and unforeseen increase in the offtake, the stock of rice in wholesale depots in Hosdrug sub-taluk was found to have been depleted in the third week of March 1953. Immediate arrangements were made by the Collector of South Kanara to replenish the stocks. There is now enough stock in all the depots of the sub-taluk and all the ration shops in the sub-taluk are having adequate stocks.”

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Persons employed through Employment Exchanges in 1952.

* 811 Q.—SRI C. V. K. RAO: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) how many persons applied for jobs through the Employment Exchanges in the State in 1952; and

(b) how many secured jobs during that period through them?

THE HON. DR. U. KRISHNA RAO:—“(a) & (b) 193,257 persons applied for jobs through the Employment Exchanges in the State during 1952 of whom 35,131 secured employment.”

Grant of Takkavi loans in Wynaad taluk.

* 812 Q.—SRI M. K. PADMAPRABHA GOUNDAR: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) the number of applications received from agriculturists in Wynaad taluk for Takkavi loans during the last eight months; and

(b) how many of these applications have been disposed of and how many were granted the loans requested for?

THE HON. SRI M. A. MANICKAVELU NAICKER:—“(a) 50 applications were received.

“(b) 42 cases have been disposed of. Loans were granted in 36 cases.”

Bund on the Aripuri Thodu, Palghat taluk.

* 813 Q.—SRI K. C. GOPALAN UNNI: Will the Hon. the Minister for Public Works be pleased to state—

(a) when the bund on the Aripuri Thodu in Palghat taluk was constructed and what was the cost of the same; and

(b) how many acres of land are benefited by the Government bund?

THE HON. SRI N. RANGA REDDI:—“(a) It is presumed that the hon. Member refers to the anicut across the Eriveri thodu in Puthuperiyar asmam. The work on this masonry anicut was completed in 1950 at an actual cost of Rs. 5,553.”

“(b) The entire ayacut of 119 acres is benefited.”

Interest charged on foodgrains supplied to Producers-cum-Consumers' Co-operative Societies in Malabar.

* 814 Q.—SRI V. R. KRISHNA AYYAR: Will the Hon. the Minister for Finance be pleased to state—

(a) what is the total amount charged by Government as interest upon the value of foodgrains supplied to the Producers-cum-Consumers' Co-operative Societies of Malabar for the financial year 1951-52; and

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(b) what is the rate of interest charged by Government from the Producers-cum-Consumers' Co-operative Societies of Malabar for the financial year 1951-52?

THE HON. SRI C. SUBRAMANIAM:—“(a) The total amount of interest charged by the Government on the value of food-grains supplied to the Producers-cum-Consumers' Co-operative Societies of Malabar for the financial year 1951-52 is Rs. 2,92,442-10-1.

“(b) Interest at the rate of 4 per cent was charged by the Government on the value of consignments payable to them from the Producers-cum-Consumers Co-operative Societies of Malabar for the financial year 1951-52.”

Compensation to the persons evicted at Neyveli Lignite Project site in South Arcot.

* 815 Q.—SRI A. RATHINAM: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) how many people living in slums were evicted so far at Neyveli Lignite Project site in South Arcot district, and in how many slums were they living;

(b) what are the reliefs and compensation offered to persons so evicted; and

(c) the total number of staff other than labourers employed in the project and the number of Harijans among them?

THE HON. DR. U. KRISHNA RAO:—“(a) No one was evicted so far from the Lignite Project area at Neyveli. But the residents of Thandavankuppam and Annangarankuppam, both hamlets of Gangaikondan village, evacuated themselves voluntarily in view of the concessions offered by the Government.

“(b) The following concessions were offered:—

(i) permission to cut and remove the trees standing on their lands;

(ii) grant of two palmyra trees for each family of payment of seigniorage charges in deserving cases;

(iii) permission to remove materials of the houses acquired without payment of cost in respect of owners receiving a compensation of Rs. 50 or less, and on payment of 25 per cent of their cost in respect of owners receiving a basic compensation of more than Rs. 50;

(iv) assignment of an alternative house site, at the rate of 5 cents, for a ‘kacha’ house and 10 cents for a ‘pucca’ house to each displaced family free of cost; and

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(v) payment of a loan on an *ad hoc* basis to the displaced persons subject to a maximum of 60 per cent of the probable compensation amount payable to them in respect of the sites acquired from them.

“(c) The total number of staff other than labourers employed in the Lignite Project is 105. Of them two are Harijans.”

Lecturers in Arts Colleges, Training Colleges, etc.

* 816 Q.—SRI M. S. MOGRAL: Will the Hon. the Minister for Education be pleased to state—

(a) whether the posts of Lecturers in Training Colleges, District Educational Officers and Inspectresses of Schools are grouped in one unit;

(b) whether Assistant Lecturers in Government Arts Colleges are eligible for appointment by transfer to posts of Lecturers in Training Colleges; and

(c) whether Assistant Lecturers in Training Colleges are eligible for appointment by transfer to posts of Lecturers in Arts Colleges?

THE HON. DR. M. V. KRISHNA RAO:—“(a) Yes.

“(b) & (c) No. But the question of amending the Special Rules for the Madras Educational Service in this regard is under consideration.”

Publication of the Radio talk “Preservation of wild life in Madras.”

* 817 Q.—SRI VAVILALA GOPALAKRISHNAIAH: Will the Hon. the Minister for Agriculture be pleased to state—

(a) the amount of money spent towards postage in despatching the reprints of “Preservation of wild life in Madras” a Radio talk of the Chief Conservator of Forests;

(b) why it was not sent by book post; and

—(c) why mere publication of it in the “Madras Information” was not regarded as sufficient?

THE HON. DR. R. NAGAN GOUDA:—“(a) The amount of money spent so far towards despatching the reprints is Rs. 90-4-6.

“(b) The reprint was an enclosure to letter from the Chief Conservator of Forests and had therefore to be despatched in covers.

“(c) The Chief Conservator desired to secure wide publicity among both officials and non-officials on the subject. One thousand five hundred copies of the reprint were therefore ordered to be printed and supplied to the Chief Conservator of Forests for distribution among various officials, non-officials, Members of the Legislature, etc.”

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Ambulance cars.

* 818 Q.—SRI S. VEMIAH: Will the Hon. the Minister for Health be pleased to state—

(a) the number of ambulance cars in the State; and

(b) the number of ambulance cars in order?

THE HON. SRI A. B. SHETTY:—“(a) Twenty.

“(b) All these vehicles are in working condition.”

Formation of the Brahmadevam-Nellatur road in Nellore taluk.

* 819 Q.—SRI K. KRISHNA RAO: Will the Hon. the Minister for Local Administration be pleased to state—

(a) when the proposals for the formation of the Brahmadevam-Ananthapuram-Nellatur road in Nellore taluk were taken up for estimate for sanction and for construction;

(b) the stage at which the construction of the said road now stands; and

(c) by which time the said road construction is proposed to be completed?

THE HON. SRI N. SANKARA REDDI:—“(a) The detailed estimate for the work was technically sanctioned on 2nd February 1950.

“(b) The work is under execution.

“(c) The work is expected to be completed by March 1954.”

Ongole cattle-show.

* 820 Q.—SRI M. NARAYANASWAMI: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the State Government have been paying any amount to the annual cattle-show at Ongole; and if so, the amount paid for each year; and

(b) whether the Government have got any proposal to improve the Ongole cattle breed?

THE HON. DR. R. NAGAN GOUDA:—“(a) Yes, Sir, a sum of Rs. 1,280 for each of the shows held during 1947-48, 1948-49 and 1949-50 was granted as contribution for award of prizes for the best exhibits selected during the show.

“(b) Yes, Sir. The Government have several proposals for the improvement of Ongole breed of cattle and they are also implementing them. There are already a number of schemes in operation for the improvement of livestock in general and the Ongole breed in particular. The Director of Animal Husbandry also submitted proposals to stimulate production of more and better Ongole cattle to meet the demand for export to foreign countries which are under consideration of Government in consultation with the Government of India.”

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Bifurcation of the Palakonda taluk.

* 821 Q.—SRI P. PUNDARIKAKSHACHARYULU: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government considered a proposal to bifurcate Palakonda taluk into Rajam and Palakonda taluks; and

(b) if so, what action has been taken so far?

THE HON. SRI M. A. MANICKAVELU NAICKER:—“(a) No. The Government did not consider any proposal for the bifurcation of Palakonda taluk into Rajam and Palakonda taluka.

“(b) Does not arise.”

Overloading in City buses.

* 822 Q.—SRI A. RATHINAM: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether the Government have allowed overloading in the City buses and if so, to what extent; and

(b) how long overloading will continue?

THE HON. DR. U. KRISHNA RAO:—“(a) Yes, Sir. Overloading has been allowed on the tram routes during peak hours without causing inconvenience to bus passengers. No specific limit has been fixed for overloading.

“(b) It will continue till tram service is resumed or till additional buses are put on the road to cope with increased traffic, whichever is earlier.”

Health Inspectors.

* 823 Q.—SRI S. VEMIAU: Will the Hon. the Minister for Health be pleased to state—

(a) whether Health Inspectors are liable to be transferred from one district to another district;

(b) whether they get any special allowance if they are asked to work on special duties like epidemics, plague, cholera, etc.; and

(c) what is the symbol of Health Inspector while on duty?

THE HON. SRI A. B. SHETTY:—“(a) The answer is in the affirmative.

“(b) The answer is in the negative but Health Inspectors employed in certain Malarial Schemes are given an additional pay of 25 per cent.

“(c) The following uniform has been prescribed for the Health Inspectors while on duty:—

(1) Khaki open coat.

(2) Khaki shirt ‘C’ collar.

(3) Khaki tie.

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- (4) Khaki turban with lace border.
- (5) Khaki shorts.
- (6) Khaki stockings.
- (7) Brown boots."

Non-lapsable fund for road-works.

* 824 Q.—SRI S. VEMIAH: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have created a non-lapsable fund for road-works; and

(b) if so, the amount of money in such fund now?

THE HON. SRI N. RANGA REDDI:—“(a) The answer is in the negative.

“(b) Does not arise.”

Allocation of money from Central Road Development Fund to South Kanara.

* 825 Q.—SRI S. S. KOLKEBAIL: Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether any amount from the Central Road Development Fund has been allotted to the South Kanara District Board for the development of roads during the last three years; and

(b) if so, how much?

THE HON. SRI N. SANKARA REDDI:—“(a) & (b) A grant of Rs. 4,900 was sanctioned to the District Board in 1950-51 for the construction of a causeway across the Kolichal stream at mile 18/5 of Hosdrug-Panathady road. No grant was sanctioned to the District Board in 1951-52 and 1952-53.”

Compounding of offences under the Madras Forest Act.

* 826 Q.—SRI K. KRISHNA RAO: Will the Hon. the Minister for Agriculture be pleased to state—

(a) who are the forest officers specially empowered by the Government under section 55 of the Madras Forest Act to compound offences under the said Act; and

(b) whether it is a part of the executive instructions to the officers empowered to compound offences under the Forest Act, to increase the amount of compounding fee per case and per person from year to year; and, if so, on what grounds instructions were given for increasing the fee?

THE HON. DR. R. NAGAN GOUDA:—“(a) A statement^a furnishing the information is placed on the table of the House.

“(b) No, Sir.”

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Arrears of increments to teachers under the Harijan Welfare Department, Nellore.

* 827 Q.—SRI S. VEMIAH: Will the Hon. the Minister for Education be pleased to state—

(a) the amount of arrears of increments of the teachers who are working in the Harijan Welfare Department, Nellore, still outstanding now without disbursement; and

(b) the reasons for the delay?

THE HON. DR. M. V. KRISHNA RAO:—“(a) The exact amount of arrears outstanding is not known.

“(b) The main reason for delay was the improper maintenance of Service Registers of the teachers and their leave accounts. Instructions have been issued for the proper maintenance of Service Registers and for bringing up to date the leave accounts of the teachers. Instructions have also been issued to the Collector of Nellore to expedite the disbursement of the increments without any avoidable delay.”

Scale of pay of a Civil copyist and a Revenue copyist.

* 828 Q.—SRI K. R. SAMBANDAM: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) what is the pay of a Civil copyist and a Revenue copyist; and

(b) whether in addition to their pay they are paid for copies made by them?

THE HON. SRI M. A. MANICKAVELU NAICKER:—“(a) & (b) Copyists in the Civil Judicial Department are paid remuneration at the rate of 2 annas for every 175 words subject to a minimum of Rs. 30 per mensem. The extra allowances earned by such copyists are always subject to a recovery being made up to the amount of any excess paid to them in either or both of the last two working months in order to make up their minimum salary. They are also paid a machine allowance of Rs. 2-8-0 per mensem.

“Copyists of the Revenue Department fall under two classes, viz., those employed as piece-workers on a part-time basis and those employed on a fixed monthly wage. The former are paid remuneration for the work done by them at the rate of 2½ annas for every 175 words. Copyists employed on a fixed monthly wage are allowed to retain as bonus any fees realized from the use of copy-stamped papers in excess of a certain minimum to be prescribed by the Collectors. The amount of pay and bonus to be granted to them are left to the discretion of the Collectors. A machine allowance of Rs. 2-8-0 per mensem is also allowed to the copyists who provide themselves with their own typewriters.”

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Road-works of Punganur taluk included in the Five-Year Plan.

* 829 Q.—SRI B. KRISHNAMURTHI RAO: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether there are any roads proposed by the Government in Punganur taluk included in the Five-Year Plan; and

(b) if so, what they are?

THE HON. SRI N. RANGA REDDI:—“(a) & (b) The information required is given in the papers placed on the table of the House.”

Slum Improvement Schemes in Perambur area, Madras.

* 830 Q.—SRI S. PAKKIRISWAMI PILLAI: Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government have ordered the Madras City Improvement Trust not to take up the slum improvement schemes of Vazhapoo Cheri and Mohana Mudaly Garden of Perambur area in the Madras City; and

(b) if so, the reasons therefor?

THE HON. SRI A. B. SHETTY:—“(a) The answer is in the negative.

“(b) Does not arise.”

Hydrogenation Factory, Kozhikode.

* 831 Q.—SRI P. KUNHIRAMA KIDAV: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) when the Hydrogenation Factory at Kozhikode will be starting production; and

(b) whether the retrenched workmen from the Government Factories at Kozhikode will be given preference in the Hydrogenation Factory?

THE HON. DR. U. KRISHNA RAO:—“(a) The Government Hydrogenation Factory, Kozhikode, will start production as soon as additional power supply to the extent of 140 K.W. is made available to the factory and the necessary supplies of raw groundnut oil are procured.

“(b) Necessary instructions have already been issued to absorb as many of the retrenched workers of Government factories at Kozhikode, as possible, in the Government Hydrogenation Factory, soon after the Factory goes into production.”

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Inclusion of Tungabhadra High Level Channel Scheme in the supplementary list of the Five-Year Plan.

* 832 Q.—SRI K. V. VEMA REDDI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether resolutions were passed at Tungabhadra High Level Channel Conference held at Guntakal recently for including Tungabhadra High Level Channel scheme in the supplementary list of the Five-Year Plan;

(b) what are the recommendations of the State Government to the Union Government on those resolutions; and

(c) if so, what is the opinion of the Union Government?

THE HON. SRI N. RANGA REDDI:—“(a) The Government have no information.

“(b) & (c) Do not arise.”

Representations from the villagers of Valakkurichi, Udayarpalayam taluk.

* 833 Q.—SRI K. R. VISWANATHAN: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that the villagers of Valakkurichi, Udayarpalayam taluk, Tiruchirappalli district, have petitioned the Government that the foreshore lands of the Madichukattai Eri assigned to political sufferer is a catchment area; and

(b) whether any action has been taken thereon?

THE HON. SRI M. A. MANICKAVELU NAICKER:—“(a) No Sir.

“(b) Does not arise.”

Grant to some schools run by Madras Corporation.

* 834 Q.—SRI S. PAKKIRISWAMI PILLAI: Will the Hon. the Minister for Education be pleased to state—

(a) whether any grant has been refused to the Corporation of Madras for the High Schools and Higher Elementary Schools that they are running in the City of Madras; and

(b) the reasons for such refusal?

THE HON. DR. M. V. KRISHNA RAO:—“(a) & (b) The Corporation of Madras is receiving a lump-sum grant towards the maintenance of elementary schools. This is intended to cover the cost of maintenance of Higher Elementary Schools also. No grant is paid to the Corporation of Madras for the two High Schools run by it. The request of the Corporation for a teaching grant was not complied with as the two schools had not been in receipt of a subsidy previously; and in view of financial stringency a change in that position was considered not feasible.”

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Reservation of lands for depressed classes.

* 835 Q.—SRI S. VEMIAH: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether there is any annual return fixed by the Government regarding the lands reserved for Depressed Classes to be submitted by the Collectors to the Board of Revenue; and

(b) if so, whether the return for the year ending 31st December 1952 will be placed on the table of the House in the form in which it has to be submitted to Government by Board?

THE HON. SRI M. A. MANICKAVELU NAICKER:—“(a) No, Sir.

“(b) Does not arise.”

Lease for selling the brushwood in Cauvery Padugai.

* 836 Q.—SRI S. P. THANGAVELU: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have leased out to Dr. T. S. S. Rajan of Thiruvengimalai the surface brushwood and tree brushwood in Cauvery Padugai between Musiri ferry ghat and Mudakkusalai from the year 1947 onwards; and

(b) what was the usual practice adopted by the Government in selling the brushwood in Cauvery Padugai and why was it departed from, in this case?

THE HON. SRI N. RANGA REDDI:—“(a) The answer is in the affirmative.

“(b) The sale is by public auction usually. A lease without auction was granted to Dr. Rajan for 1947 as he offered an amount not less than the average rental for the preceding 8 years and he had rendered signal service in organizing farm work and agricultural reform on his own in the neighbourhood and in the production of food during a critical period. Subsequently, the lease was renewed to him in 1949, as he agreed to pay Rs. 200 and as only one other person had offered that amount, and again in 1951, as there were no other specific offers then.”

Local Fund dispensaries at Mannarghat and Ottapalam.

* 837 Q.—SRI K. M. SEETHI: Will the Hon. the Minister for Health be pleased to state whether the Government have a proposal to convert the Local Fund dispensaries at Mannarghat and Ottapalam into Government hospitals?

THE HON. SRI A. B. SHETTY:—“The answer is in the negative.”

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The Velliathur Dam Scheme in Kurumbranad taluk.

* 838 Q.—SRI P. KUNHIRAMA KIDAV: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Velliathur Dam Scheme (Kurumbranad taluk, Malabar) has been examined by the Government; and

(b) if so, when the Government will start the work?

THE HON. SRI N. RANGA REDDI:—“(a) The feasibility of the proposal is being examined by the Public Works Department.

“(b) It cannot be said now whether the scheme will be sanctioned.”

Taking over of the Seetharamapuram Estate in Udayagiri taluk by the Government.

* 839 Q.—SRI K. RAMAIAH CHOWDARY: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) when the Seetharamapuram Estate in Udayagiri taluk, Nellore district, will be taken over by the Government; and

(b) if not, the reasons for the same?

THE HON. SRI M. A. MANICKAVELU NAICKER:—“(a) & (b) Seetharamapuram Estate in Udayagiri taluk, Nellore district, was notified to be taken over under the Estates Abolition Act on 7th September 1950. The landholder of this estate filed a C.M.P. (No. 7908/50) in the High Court questioning the validity of the Abolition Act. On 6th September 1950, the High Court issued an interim injunction order restraining the Government from taking over possession of the estate under the Abolition Act. The estate was therefore not taken over by the Government on the notified date, namely, 7th September 1950. The Civil Miscellaneous Petition was dismissed by the High Court on 8th September 1952. But before the disposal of the said Civil Miscellaneous Petition the landholder again filed a Writ Petition No. 40 of 1952 in the High Court. With reference to this petition, the High Court in its order, dated 14th February 1952 has restrained the Government from taking any further proceedings under the Abolition Act in respect of Seetharamapuram Estate pending disposal of the Writ Petition No. 40 of 1952 on its file. The Government are therefore, not in a position to take over although it was notified to be taken over nearly 2½ years ago. The estate will be taken over by the Government after the stay is vacated by the High Court.”

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Ambulance Van of the General Hospital of the former Pudukkottai State.

* 840 Q.—SRI V. BALAKRISHNAN: Will the Hon. the Minister for Health be pleased to state—

(a) whether the Ambulance Van belonging to the General Hospital of the former Pudukkottai State was despatched to Rayalaseema;

(b) if so, when and why; and

(c) whether it is to be returned or not?

THE HON. SRI A. B. SHETTY:—“(a) & (b) The Ambulance Van of the Town General Hospital, Pudukkottai, was sent to Kurnool district in May 1952 for rendering medical aid in the famine affected areas. It was subsequently diverted to North Arcot district in June 1952 for the same purpose.

“(c) The Van was returned in January 1953.”

Representations from the peasants of Penchupadu, Madanapalle taluk.

* 841 Q.—SRI D. SEETHARAMIAH: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government have recently received any representations from the poor peasants and agricultural labourers of Penchupadu, Vempalle and Chinnatippasamudram villages of Madanapalle taluk complaining against waste lands under their long enjoyment having been given to political sufferers; and

(b) if so, the action taken thereon?

THE HON. SRI M. A. MANICKAVELU NAICKER:—“(a) & (b) Recently a petition from Sri Theegala Akkulappa, with a covering letter, dated 14th March 1953 from the hon. Member was received by the Government, objecting to the assignment of S. No. 1011/B of Chinnatippasamudram, Madanapalle taluk, Chittoor district, to Sri B. Krishna-Murthy, M.L.A., a political sufferer. Copies of the petition and the covering letter have been transferred to the Board of Revenue for disposal.

“No representations from the poor peasants and agricultural labourers of Penchupadu and Vempalle have been received recently.”

Lecturer in Regional languages for Government Training College, Mangalore.

* 842 Q.—SRI M. S. MOGRAL: Will the Hon. the Minister for Education be pleased to state—

(a) whether the Government have received representations from some Kannada Members of the Legislative Assembly, and Parliament and prominent men of the South Kanara district in

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September 1952 requesting the Government to convert the vacant post of Lecturer in Education at Government Training College, Mangalore, into a Lecturer in Regional Languages; and

(b) what action the Government have taken thereon?

THE HON. DR. M. V. KRISHNA RAO:—“(a) & (b) The hon. Member's attention is invited to the answer to question No. 52 (1593) answered on 15th July 1953.”

Opening of a District Munsif's Court at Pattambi.

* 843 Q.—SRI KUNHI MUHAMED SHAFEE: Will the Hon. the Minister for Law be pleased to state—

(a) whether the Government have received any representation (Memoranda or Petitions) from the public of Pattambi for opening a District Munsif's Court at Pattambi in South Malabar; and

(b) whether the Government have received any proposals from the High Court for the establishment of a new Munsif's Court at Pattambi, and if so, what orders the Government have passed thereon?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“(a) The answer is in the affirmative.

“(b) The Government have not received any proposal from the High Court for the establishment of a District Munsif's Court at Pattambi. But they have examined the representations referred to in clause (a) above in consultation with the High Court and have decided that there is no case for the establishment of a District Munsif's Court at Pattambi now. The attention of the hon. Member is in this connexion invited to the answer given to a similar question [Question No. 777 (2093) answered on 20th July 1953].”

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—ADJOURNMENT MOTIONS.

(1) FAST OF SRI KAMI REDDI FOR A PLEBISCITE IN BELLARY.

MR. SPEAKER:—“The hon. Member, Mr. G. C. Kondayya has given notice of an adjournment motion about the fast of Sri Kami Reddi in Bellary. I remember to have given a ruling when this subject was brought before the House by Mr. Latchanna. The same ruling holds good in the case of this motion also.”

SRI T. VISWANATHAM:—“May I submit, Sir, that the fast has assumed a very critical turn, and that you may be pleased

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to give an opportunity for hon. Members to state their views and also give an opportunity to the Government to state their views and what action they are going to take? "

MR. SPEAKER:—"The hon. Member can put a short notice question on this subject, and he can have a half-hour debate if he wants. The adjournment motion reads—

'Since Kami Reddi's fast in Bellary is reaching the 32nd day, causing much concern to the people of Andhra, this Assembly stands adjourned to discuss the issue of Bellary plebiscite to save Sri Kami Reddi's life.'

It is clearly out of order and is ruled out."

(2) REMOVAL OF CIVIL SUPPLIES LORRIES, ETC., FROM VIJAYAVADA.

MR. SPEAKER:—"Sri Vavilala Gopalakrishnaiah, Sri M. Hanumantha Rao and Sri T. Potha Raju have given notice of adjournment motions. The adjournment motion of Sri Vavilala Gopalakrishnaiah reads—

'This House adjourns to discuss the urgent matter, i.e., the removing of the Civil Supplies lorries allotted to Vijayavada to Madras.'

"The adjournment motion of Sri M. Hanumantha Rao reads—

'I hereby give notice to move that the business of the House be adjourned to discuss a definite matter of urgent public importance, viz., the attempts of the Government to shift the stores used by the Civil Supplies Unit at Vijayavada by disbanding the said unit last week with the purpose of depriving the new Andhra State of these stores.'

"The adjournment motion of Sri T. Potha Raju reads—

'This House stands adjourned to discuss a definite matter of urgent public importance of recent occurrence, namely, to discuss the stand taken by the Government to shift all the lorries and other property of the Civil Supplies Unit of Vijayavada contrary to the seventh schedule, clause I, of the Andhra State Bill and the situation that arose out of it in Andhra.'

THE HON. SRI C. SUBRAMANIAM:—"Sir, I have not seen these motions till you showed them to me in the Chamber this morning. I would like to take them up to-morrow. I would like to look into them."

MR. SPEAKER:—"All right."

(3) AUCTIONING OF LANDS BEING CULTIVATED BY CERTAIN
TENANT SOCIETIES.

MR. SPEAKER:—"There is another adjournment motion given notice of by Sri M. Hanumantha Rao. The adjournment motion reads—

'I hereby give notice to move that the business of the House be adjourned to discuss a definite matter of urgent public importance, viz., the order of

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the Government to lease lands which are being cultivated by Ipur and Kollur Tenant Societies by means of auction thereby depriving hundreds of Harijan labourers of their living."

I wish to know whether this subject does not come under day to day administration."

* SRI M. HANUMANTHA RAO:—"Sir, the adjournment motion refers to the Ipur lanka and Kollur Tenant Societies. They have been cultivating two hundred acres of land for a long time. But now the entire land is going to be put to auction on the 5th August by the Government. By this order 500 labourers, poor Harijan labourers as well as ex-toddy tappers and their families, would be deprived of their living, land and bread. So, this is a very important matter. Yesterday I was telling the House that the lands would be put to auction yesterday itself. But subsequently I got a telegram saying that the auction has been postponed to 5th August. Nevertheless it is an urgent matter, and it is also of public importance in the sense that 500 poor families will be deprived of their living, and the public are concerned with this. I think this is a serious matter which has to be discussed by this House. If this policy is pursued further not only hundreds of families but thousands more will be deprived of their living. That is why the motion must be taken up now. It might be thrown away saying that it is a day-to-day administrative affair. I think it is not a day to day affair. I do not think you will believe that it has become the routine business of this Government everyday to deprive hundreds and thousands of families of their living. That is why I hope you will consider this matter seriously, and allow this adjournment motion."

* THE HON. SRI C. RAJAGOPALACHARI:—"Sir, yesterday this was mentioned to me as well as in the open House and I asked friends who were interested in it to find out from the Secretariat whether the auction was to take place or had been postponed. Because in matters of this kind my impression was that as far as possible we accommodated the petitioners who complained, and matters were stayed. As a matter of fact, the hon. Member has now made it clear that the auction has been adjourned to 5th August. I think I must ignore the allegation made that it is the definite policy of the Government to deprive men of their employment."

SRI P. RAMAMURTHI:—"The hon. Member did not say that."

* THE HON. SRI C. RAJAGOPALACHARI:—"You had better modify that (laughter). (Interruption.) It is better that this conglomerated kind of attack is distributed a little amongst the Members. When a Member commits a mistake, it is better he mends it."

SRI P. RAMAMURTHI:—"Sir, I would like the Chief Minister not put words in the mouth of a Member of this House."

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(Interruption.) The hon. Member said ' I do not think the Speaker believes that it is the policy of the Government to go on removing people from their lands; therefore it is an urgent matter '."

THE HON. SRI C. RAJAGOPALACHARI:—" I think the very gracious punctuational change that Mr. Ramamurthi makes is making the whole . . ."

SRI M. HANUMANTHA RAO:—" Sir, I stand by what I said. I only said, addressing the Chair, that the Hon. the Speaker will not believe that it has become the routine business of this Government to deprive hundreds and thousands of people of their living."

* THE HON. SRI C. RAJAGOPALACHARI:—" This is what is again generally called ' insinuation ' (laughter) which, under the rules, we are asked not to indulge in. However, I shall ignore it. As far as I am aware, I may assure hon. Members that it is the definite policy of this Government to help poorer people out of such difficulties, even if the law is to be stretched a little for that purpose. Going into the matter itself, I think that it has become a matter of political importance with hon. Members that they should be in a hurry to catch up wherever any alleged injustice has been committed so that they might have the credit of removing that injustice. But in this case the Government has been earlier in this race. They have already adjourned the auction. The hon. Member who has given notice of this adjournment motion is unfortunately deprived of the political advantage that he wanted to get. But in any case, the Government have put off the auction to 5th August, and the matter will be looked into. This is, I submit, Sir, a routine matter."

SRI M. HANUMANTHA RAO:—" Sir, the Hon. the Chief Minister was telling us that we play for political advantages in this matter. I wish that the Government take the initiative and do away with all injustice if at all they are capable of doing it, and we shall thank them for it. At the same time, I might remind the Hon. the Chief Minister that this matter was represented to the Revenue Minister four days back by three of our friends here. But still nothing has happened."

THE HON. SRI C. RAJAGOPALACHARI:—" The initiative has been recovered by the Communist gentlemen."

SRI P. RAMAMURTHI:—" I think, Sir, it is better that we do not indulge in this kind of thing as to who has got the initiative. It does not help us."

THE HON. SRI C. RAJAGOPALACHARI:—" This is a general matter. We play for initiative, and what is the good of hiding it."

SRI P. RAMAMURTHI:—" Unfortunately, Sir, the Hon. the Chief Minister looks through coloured glasses at everybody. (Laughter.) He wants to . . ."

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* THE HON. SRI C. RAJAGOPALACHARI:—"One colour deprives the other colour of its advantage." (Laughter.)

MR. SPEAKER:—"The subject comes under matters of day-to-day administration, and I rule the motion out of order."

* THE HON. SRI C. RAJAGOPALACHARI:—"I accept the reprimand from the Hon. the Speaker."

III.—GOVERNMENT BILL.

THE ANDHRA STATE BILL, 1953—*cont.*

Clauses 22 to 24.

MR. SPEAKER:—"There are no amendments to clauses 22, 23 and 24. I now proceed to clause 25."

SRI PILLALAMARRI VENKATESWARLU:—"Though no amendments have been given notice of, yet Members can oppose the clauses, Sir."

MR. SPEAKER:—"There is no question of opposing the clauses. Hon. Members can only give their views. If they want they can stand up and speak."

SRI PILLALAMARRI VENKATESWARLU:—"Please allow us some seconds so that we may stand up, Sir."

* THE HON. SRI C. SUBRAMANIAM:—"Sir, the hon. Member, Sri P. Venkateswarlu, is always anxious that we should not rush through, and that there should be as much delay as possible. If there is any view to be expressed, it is to go in a specific form to the Government of India. Therefore, if there is any point of view to be expressed, it should have come in the form of a resolution, and that alone can be discussed. When no amendment is given notice of in respect of any clause, that shows that we are in general agreement with that clause. There should be no question of further discussion of that clause. I respectfully submit that we should pass over all clauses in respect of which there are no amendments."

Clause 25.

9-40 a.m. * SRI K. KRISHNA RAO:—"Sir, I move the following amendment which stands in my name:—

Add at the end the words "and not inconsistent with the provisions of the Constitution."

"Sir, clause 25 says that the rules as to procedure and conduct of business in force with respect to the Madras Legislative Assembly should apply to the Legislative Assembly of Andhra to be formed. My amendment seeks to make out that any rules of procedure with respect to the Legislative Assembly of Andhra that is to be formed, must be in conformity with the provisions of the Constitution. I say so because we here are above law. Many of the procedures here, for example, whether the Ministers ought to give a reply to questions or not and whether they can at all

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refuse to give answers to questions, cannot be taken to a Court of Law and contested. We cannot go to a Court and ask for a decision as to whether it is *ultra vires* of the Ministers to refuse to give answers to questions put in the Legislative Assembly. Thus, in regard to many of these matters we are in a fix. If anything is to be done, it has to be done in this House by means of points of order, privilege motions, or things like them. A number of precedents with regard to procedure have accumulated in this Assembly which ignore the provisions of the Constitution."

MR. SPEAKER:—"Does the hon. Member mean to say that we have not been following the provisions of the Constitution?"

SRI K. KRISHNA RAO:—"I think I should correct the impression. The point is that the procedures of the House are such as to constitute a violation of the rights of Members. I have given an instance also. Members have got a right to put questions and to receive answers. In fact, the procedures are not new. They are coming on since the Montford Reforms and there has not been a radical alteration of these procedures in the light of the provisions of the new Constitution. I would remind you that there was a Committee appointed by this House, and I am informed that though the Hon. Speaker has made a number of suggestions, the Committee have not considered them and have not come to an agreement. My point is that the rules of procedure, whether written or unwritten, will have to be examined in the light of the provisions of the Constitution."

SRI S. DEIVASIGAMANY:—"Sir, I second the amendment moved by the hon. Member, Sri Krishna Rao. After all, this amendment is a very innocuous one. It only tries to bring out that the provisions of the Constitution should be strictly followed. I do not think, by inserting this amendment, anything is going to be lost."

* THE HON. SRI C. SUBRAMANIAM:—"Sir, I was really surprised to see the hon. Member Sri Deivasigamany supporting this amendment. But I suppose he is supporting it from another point of view quite different from that of the hon. Member, Sri Krishna Rao. First of all, when his amendment seeks to add the words 'and not inconsistent with the provisions of the Constitution', I presume the hon. Member is not stating that we are following a procedure here which is inconsistent with the provisions of the Constitution. That will be a reflection not only on you, Mr. Speaker, but also a reflection on the House itself."

SRI S. DEIVASIGAMANY:—"Not at all."

* THE HON. SRI C. SUBRAMANIAM:—"If it is not so, the hon. Member, Sri Krishna Rao, wants that the Andhra Members should be specifically reminded about the provisions of the Constitution so that they may follow them. I have no objection, but it will look really very odd. Whatever the procedure is, it will always be subject to the provisions of the Constitution. A special mention here will be reflection either on this House or on

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the Andhra Members if not on this House. I respectfully submit that the hon. Member should not press it and should withdraw it."

The amendment was, by leave, withdrawn.

(Clauses 26 and 27—No amendments.)

Clause 28.

SRI P. RAMAMURTHI:—"Mr. Speaker, Sir, I move the following amendment which stands in my name:—

75 ' *This House recommends to the Parliament of India that sub-clause (2) of clause 28 of the Andhra State Bill be amended so as to provide for the establishment of the High Court for Andhra on a date decided upon by the Legislative Assembly of that State.* ' "

SRI M. KALYANASUNDARAM:—"I second the amendment."

MR. SPEAKER:—"Let all the amendments be moved and seconded. Then, hon. Members may speak on their amendments."

The following amendments were accordingly moved by the Members in whose names they were standing and duly seconded:—

SRI D. SEETHARAMIAH—

76 " *This Assembly recommends that the Andhra High Court be formed in Andhra along with the formation of the Andhra State and its location be decided by the Andhra Members of the Madras Legislative Assembly by the end of August 1953.* "

SRI G. YELLAMANDA REDDI—

77 " For clause 28, substitute the following:—

' 28 *As from the date of the formation of Andhra State there shall be a High Court for the State of Andhra hereinafter referred to as " The High Court of Andhra."*

' *The Andhra Assembly shall decide the place of the High Court.* ' "

SRI VAVILALA GOPALAKRISHNAIAH—

78 " For sub-clauses (1) and (2), substitute the following:—

' *There shall be separate High Court for the State of Andhra, hereinafter referred to as " The High Court of Andhra ", from October 1, 1953.* ' "

SRI N. GOPALA MENON—

79 " (i) Delete the words ' As from the date appointed under sub-section (2) ' occurring in sub-clause (1);

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(ii) For sub-clause (2), substitute the following:—

‘ (2) The President shall, as soon as may be after the appointed day, establish a separate High Court for the State of Andhra by notification in the Official Gazette.’

(iii) For sub-clause (3), substitute the following:—

‘ (3) The High Court of Andhra shall be located in the capital of the State.’ ”

Sub-clause (2).

SRI T. N. VENKATASUBBA REDDI—

81 “ For sub-clause (2), substitute the following:—

‘ (2) The President shall, as soon as may be convenient or on the passing of a resolution by the State Assembly of the Andhra State appoint by notification in the Official Gazette a date for the purpose of sub-clause (1).’ ”

SRI K. RAJAGOPALA RAO—

82 “ For sub-clause (2), substitute the following:—

‘ (2) The President shall immediately after a resolution recommending the establishment of a separate High Court for the State of Andhra has been adopted by the Legislative Assembly of that State and submitted to him, appoint by notification in the Official Gazette, a date in 1953, for the purpose of sub-section (1).’ ”

SRI C. RAJAM RAMASAMI—

83 “ For sub-clause (2), substitute the following:—

‘ (2) The President shall, as soon as may be convenient, appoint by notification in the Official Gazette, a date for the purpose of sub-clause (1).’ ”

SRI D. SEETHARAMIAH—

84 “ (i) After the words ‘ after a resolution recommending the establishment ’, insert the words ‘ and location.’

(ii) Add at the end the words ‘ and fix the location accordingly.’ ”

SRI K. VENKAIAH—

85 “ (i) Delete the words of the sub-clause commencing with ‘ as soon as ’ and ending with ‘ submitted to him ’.

(ii) After the words ‘ in the Official Gazette a date ’, insert the words ‘ in the year 1953 ’.”

SRI M. VEERABHADRAM—

86 “ (i) For the words and figure ‘ date appointed under sub-section (2) ’, substitute the words ‘ appointed day ’.

(ii) Delete sub-clauses (2) and (3) and for the words ‘ prescribed day ’ wherever they occur, substitute the words ‘ appointed day ’.”

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* SRI P. RAMAMURTHI:—"Sir, the clause provides that the date from which the Andhra High Court will begin to function separately is the date which will be determined by the President. My amendment seeks to make it incumbent on the Andhra Legislature to fix the date. I wish I fixed up a certain date. But, unfortunately, I have not given a specific date. I think we can fix a definite date, in December or so, by which time the Andhra High Court must begin to function separately. Some other amendment is being thought of. I hope the Chair will allow that amendment."

9-50 a.m. THE HON. SRI C. SUBRAMANIAM:—"If it is an agreed amendment, there will be no objection."

SRI T. VISWANATHAM:—"Sir, our attitude—I am speaking on behalf of the Praja Socialist Party also—is that the provision in the Bill with regard to the High Court may stand as it is."

* SRI D. SEETHARAMIAH:—"Sir, I submit that there are three important organs for a State, viz., Executive, Legislature and Judiciary. Of these three, the highest institution of Judiciary is the High Court. Now, when the Andhra State is formed, it is going to be without this highest institution and so it will not be a full-fledged State. It is very necessary that the High Court should also be formed along with the formation of the Andhra State. That is why I have moved my amendment in order to recommend that the Andhra High Court may be established on the soil of the Andhra Desa along with the formation of Andhra State. In the Bill it is said that there will not be a High Court in Andhra immediately. It is said that the Chief Justice may, with the approval of the Governor, fix the place or places afterwards. Thus, the Andhra State is handicapped very much. This has served the Congress and other allied parties. In the matter of locating the capital, it appears the Congress Party has come to an agreement with some other parties. It seems that there has been agreement between them to the effect that the capital may be located in Kurnool and the High Court may be located in Visakhapatnam or some other place. It is to facilitate those parties and to avoid discussion of this subject in the Assembly that these parties, especially the Congress Party, are trying to deny this House an opportunity of discussing this subject and have placed this matter in the hands of the Chief Justice and the Governor, to be decided by them both. It is only with a sinister motive this has been done. The Andhra people and this Assembly cannot oblige them with this sort of convenience."

"In this connection, I wish to remind this Honourable House that the Chief Justice is a *persona grata* and he cannot be dragged into politics, cannot be pulled into the political whirlwind and whirlpool and cannot be subjected to all sorts of severe criticisms. Now the issue of capital and High Court is a burning question throughout Andhra Desa and it cannot be decided unless Andhra Assembly Members and the Andhra people go together. Making the Chief Justice do this part of the job is to ask the Chief Justice to bear all the brunt of this decision and to ask him to draw the chestnuts out of the fire for their own use. Therefore it is no good

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to drag the Chief Justice into the political whirlpool. The question of the location of the High Court, the date of its location and functioning and other matters pertaining to it must be decided by the Andhra Assembly. Or, rather I put it that the Andhra Members of the Madras Legislature be asked by the Central Government or Parliament to decide this issue just as they have done with regard to the issue of the location of the capital. Let us decide the question of High Court also. With these words, I commend my amendment for the acceptance of the House."

*SRI G. YELLAMANDA REDDI:—“ఆధ్యక్షా, ఇప్పుడు మనమున్నట్లు clause ను కనుక యథాతథంగా ఆమోదించినట్లైతే ఆంధ్రరాష్ట్రానికి త్వరలో హైకోర్టు ఏర్పడే అవకాశం లేకుండా పోతుంది. భారత ప్రధాన మంత్రి ఆంధ్ర రాష్ట్ర నిర్మాణం గురించి ప్రకటన చేసినప్పటినుంచీ కూడా ఆంధ్రప్రజలు ఆంధ్ర రాష్ట్రానికి ఒక ప్రత్యేక హైకోర్టు ఉండవలెనని, అది ఆంధ్రరాష్ట్ర సరిహద్దులలోపలనే ఉండవలెనని కోరుతున్నారు. ఆంధ్రరాష్ట్ర కాంగ్రెస్ అధ్యక్షుడైన శ్రీ సంజీవ రెడ్డిగారు, ఆంధ్ర హైకోర్టుకూడా మద్రాసులో ఉండరాదని అన్నారు. ఈ విషయమై ఆంధ్ర లోని అన్ని పార్టీలవారు ఏకగ్రీవంగా ఆంధ్రరాష్ట్ర సరిహద్దులలోపలనే ఆంధ్ర హైకోర్టు ఉండాలని అంటూ వచ్చారు. అయితే ఇప్పటి బిల్లులోని ఈ clause లో విధంగా తెలుపడం లేదు. ఆంధ్ర రాష్ట్రం ఏర్పడిన తరువాత ఆ రాష్ట్ర ఎసెంబ్లీవారు ఈ విషయమై ఒక నిర్ణయానికి రావాలని కూడా ఇందులో లేదు. దీనివల్ల ఆంధ్ర రాష్ట్రానికి వెంటనే ప్రత్యేక హైకోర్టు లేకుండా పోయే ప్రమాదం కనపిస్తుంది. ఈనాడున్న అస్థిర పరిస్థితులను బట్టి చూచినట్లైతే ఆంధ్ర రాష్ట్రంలో ప్రభుత్వమనేది ఒకటి ఉంటుందో లేదో చెప్పలేకుండా ఉన్నాము. ఈనాడు కాంగ్రెస్, కృషికార్ లోక్, ప్రజా సోషలిస్టు పార్టీల వారిమధ్య ఏకాగ్రీవతాయం కనపించుతుంది. ఈ పార్టీల వారిమధ్య పడవుల పంపక తగాదాలలో సమాధానంతురురకపోయినట్లైతే ఆంధ్రలో మంత్రివర్గం ఏర్పడడం కష్టం. ఒకవేళ ఆ పరిస్థితులలో అధ్యక్షుని పరిపాలన వచ్చినట్లైతే చాలాకాలం వరకు ఆంధ్రరాష్ట్ర హైకోర్టు మద్రాసులో ఉండవలసి రావచ్చు. ఇది ఆంధ్ర ప్రజాసేవకు యుక్త వాంఛితానికి పూర్తిగా వ్యతిరేకం అని మనవిచేస్తున్నాను. వెంటనే, అనగా ఆంధ్రరాష్ట్రం ఏర్పడటానికే అనంతరం 1 వ తేదీనుంచి కూడా ప్రత్యేక ఆంధ్ర హైకోర్టు ఏర్పాటు చేయవలసిన బాధ్యత ఈ నాయకుల మీద ఉన్నది. మారు మూలన ఉన్న కర్నూలును ఈ నాయక సభ్యులు రాజధానిగా వలెచారు, ఈ విషయమై ఎన్నో అభిప్రాయ భేదాలు, తర్కాపతర్కాలు ఉన్నట్లు కనపిస్తుంది. హైకోర్టు స్థల నిర్ణయ విషయమైకూడా ఎన్నో విభేదాలు రావచ్చు. అందువల్లనే తమ బాధ్యతనుంచి తప్పుకొనేందుకై ఈ పార్టీలవారు హైకోర్టు విషయమై పట్టుడల చూపడంలేదు. వారి వైఖరి వల్ల ఆంధ్ర రాష్ట్రానికి ప్రత్యేక హైకోర్టు లేకుండా పోవచ్చు. కాబట్టి ఈ విషయమై ప్రజా స్వామిక పార్టీల మని చెప్పకొనే ఈ నాయకులు ఒక విస్ఫోటమైన విధానాన్ని ఆనుకొనింపవలెనని, కనీసం ఆంధ్ర రాష్ట్రం ఏర్పడిన వెంటనే ఆంధ్ర శాసన సభ్యులు ఈ విషయమై ఒక నిర్ణయం చేయటం అవకాశం కలుగ జేయవలెనని చెబుతూ నేను ఈ సవరణను బలపరుస్తున్నాను.”

*SRI VAVILALA GOPALAKRISHNAIAH:—“Mr. Speaker, every State must have a Legislature, Executive Government or call it Secretariat and a High Court. Now, the Andhra State starts without a High Court. This is very peculiar. When there

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is division of the country on the linguistic basis, the States so divided must have cultural and administrative units. When there was a University for Andhra, i.e., a cultural centre, there was no Andhra State. Now, when the Andhra State is being formed, it will have no High Court in its own territory. It is really very paradoxical. I appeal to the Government of Madras, the Members of this House and those in power at Delhi to take a decision to the effect that the High Court must immediately be started in Andhra along with the inauguration of the Andhra State. Otherwise there will be so many difficulties. The people of Andhra will have to come to the residuary Madras State in connection with their legal matters. They will have no say in the matter of appointment of Judges, allotment of money, etc. As such, it will be highly impractical to have the High Court in Madras. What happened when Orissa was partitioned? Patna High Court was made the composite High Court for Orissa and Bihar. On account of this, so many difficulties, so many irregularities and constitutional issues had arisen. After understanding the difficulties, a separate High Court was constituted for Orissa itself. Let us learn from the experience gained by the Orissa people, and let us not repeat the same blunder committed at that time. Therefore, I appeal to the Central Government and to others concerned that a separate High Court for Andhra within its own territory must be established along with the formation of the Andhra State. With these words, I commend my amendment for acceptance of the House."

10 a.m. * SRI N. GOPALA MENON :—" Sir, I want to say a few words on my amendment No. 79.

" The question of the location of the Andhra High Court and of the time when it should commence working are pre-eminently matters for Andhras on which I do not want to be looked upon as an intruder. But nevertheless, I would like to make a few remarks. The question is this. The Andhra State is to have a High Court of its own and the arguments advanced by the previous speaker are very proper. When the State is formed it ought to have a High Court of its own. When this is conceded there is really no meaning in saying that the future Andhra Legislative Assembly should again meet and consider whether there should be a High Court. The clause says—

' The President shall, as soon as may be after a resolution recommending the establishment of a separate High Court for the State of Andhra has been adopted by the Legislative Assembly of that State and submitted to him, appoint by notification in the Official Gazette, a date for the purpose of sub-section (1).'

I really think that there is absolutely no need for the Legislative Assembly of the State of Andhra again to deliberate on this question and reaffirm that there ought to be a High Court. It is conceded and it is essential that the Andhra State should have a High Court of its own and what remains to be done is that the President on the advice of the Government of Andhra should fix a date for the inauguration of the Andhra High Court. Therefore,

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I have said in my amendment that the President shall by notification after the formation of the State of Andhra fix a date for the inauguration of the High Court.

“ The other point is about the location of the High Court. The Travancore-Cochin State has its High Court in Cochin and the seat of the Government in Travancore. I find that this arrangement is not working properly. The location of the High Court should not be regarded as a question of patronage. When you form a State, you ought not to think that there are two segments, the Rayalaseema section and the Circars section. It is one whole indivisible Andhra State. You ought not to think that there are two component parts to that State. It is one indivisible State and normally the High Court must be located in the capital of the State. I am yet to see a good State, a flourishing State, having its High Court in one place and its capital in another place. The High Court must be in the capital of the State. There are a great many advantages in having the High Court in the capital itself. Therefore, hon. Members should not think that this is a question of patronage, giving to Rayalaseema the Capital and to the Circars, the High Court. That kind of vision ought to be obliterated from the minds of the people. The moment the Andhra State is formed, all must regard the State as one. The idea of patronage must be abandoned altogether and it is essential for good administration that the High Court must be located in the capital of the State. These are more or less in the shape of remarks that I say. As I said in the beginning, this is pre-eminently a matter for the Andhras themselves to decide and what we, who are not Andhras, say is only as a matter of opinion.”

MR. SPEAKER:—“ Mr. Venkatasubba Reddi.”

SRI P. RAMAMURTHI:—“ He may be asked to speak a little later.”

* SRI C. RAJAM RAMASAMI:—Sir, I want to say a few words on my amendment (No. 83). The object of my amendment is to provide for the early establishment of an Andhra High Court. The purport of it is more or less the same as mentioned by Mr. Gopala Menon. If we allow the discretion to the Andhra Assembly to pass a resolution on the formation of an Andhra High Court, it may not be advantageous or fair to the political parties or to the residuary State. Political and other considerations may prevent such a resolution being passed at an early date. It would be advantageous if the President is authorised to fix a date for the inauguration of the High Court. Under the Constitution also, there is no necessity for such a resolution being passed by any Legislative Assembly for the setting up of a High Court. It will be sufficient if powers are given to the President to form a High Court as early as possible. Mr. Gopala Menon has explained the position at full length and I wholeheartedly support what he has said in the matter.”

SRI C. PULLA REDDI:—“ Mr. Speaker, Sir, this question of High Court has been in the minds of the Andhras ever since the

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Prime Minister's announcement was made about the formation of an Andhra State. When it was originally said that the Andhra State would be formed on October 1, and the High Court would continue to be in Madras till such time as it was decided by the Andhra Assembly, political leaders from Andhra and also the Andhra public resented the statement. When once the Andhra State is formed, every important political party has said, the Andhra High Court must be taken away from Madras to the Andhra State. Even Mr. Sanjeeva Reddi, the President of the Andhra Provincial Congress Committee, said that there was no point in having the Andhra High Court in Madras. So much so, it is the unanimous opinion of the Andhra public that the High Court must be located in the Andhra State itself from the beginning. Why we raise this question now in the Assembly, rightly or wrongly, has located the capital at Kurnool. Yesterday our Chief Minister gave some information about Mr. Lobo Prabhu's report on the choice of Kurnool as capital. The Chief Minister has informed us that Mr. Lobo Prabhu has recommended the location of a camp capital only at Kurnool and not the real capital. According to the report, the impression given to the public is that all important offices will not be taken to Kurnool but only a part of them and that the major part of the staff working in those offices will continue to work in Madras. Taking this fact along with the other that the Andhra High Court will be in Madras, let me ask what is it that is being shifted to Andhra. It is only a case of the Assembly alone meeting in Kurnool and nothing more, while all the important departments of the Secretariat will be working in Madras. Including the High Court in this list, it only means that it is not really a Province that is going to be formed and it is not the real capital that will be located at Kurnool. These are the proposals that are being placed before the Andhra public and the Andhra public will never accept them. Therefore, we say that all the offices, whether important or unimportant, pertaining to the Andhra State, including the High Court should be located in the Andhra area. The High Court must be started along with the formation of the province. The Central Government cannot effect separation of the State without the High Court. There is no question of our High Court being in Madras when once we have decided on the formation of the new Andhra State.

"Another point is that the location of the High Court has been left to the choice of the Chief Justice."

MR. SPEAKER:—"When we come to clause 36, we can take up this matter."

* THE HON. SRI C. SUBRAMANIAM:—"May I make a submission, Sir. This is with reference to the High Court coming into existence in the Andhra area and when it should come into operation. We may proceed with other clauses first and take this up later. As a matter of fact, a postponement of the clause will not affect the discussion on other clauses."

MR. SPEAKER:—"Then we will take it up later."

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a.m.

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Clause 29.

No amendments moved.

MR. SPEAKER:—"For clauses 30, 31, 32, 33, 34 and 35, there are no amendments. We pass on to clause 36."

Clause 36.

The following amendments were then moved by the Members in whose names they were standing and duly seconded:—

SRI P. RAMAMURTHI—

90 "This House recommends to the Parliament of India that clause 36 of the Andhra State Bill be amended so as to provide that the High Court of Andhra and the Judges and Division Courts thereof shall sit at such place or places in the State of Andhra as the Legislative Assembly of that State may decide."

SRI T. NAGI REDDI—

"91 This Assembly is of the opinion that the separation of the High Court for Andhra be effected from the appointed day itself with Madras as its seat of functioning till December 1953 before which time the Andhra Assembly shall meet and decide a place in the State of Andhra as its seat."

SRI G. LATCHANNA—

"92 This Assembly recommends that for the words 'at such place or places', the words 'in any of the two centres indicated by Justice Wanchoo and in the light of Sri Bagh Pact' shall be substituted."

SRI VAVILALA GOPALAKRISHNAIAH—

"93 For the existing clause substitute the following:—
'The High Court of Andhra and the Judges and Division thereof shall sit at Guntur.'"

"94 For the words 'such place or places as the Chief Justice may with the approval of the Governor of Andhra, appoint' substitute the words 'Guntur—Vijayavada.'"

SRI T. LAKSHMINARAYANA REDDI—

95 "For the words 'shall sit . . . with the approval of the Governor of Andhra, appoint', substitute the words 'shall be located at Anantapur.'"

SRI N. GOPALA MENON—

"96 For the words 'such place or places in the State of Andhra as the Chief Justice may, with the approval of the Governor of Andhra, appoint', substitute the words 'the Capital of Andhra.'"

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SRI H. SATYANARAYANA DORA—

“ 97 This House resolves that in clause 36, for the words ‘ as the Chief Justice may, with the approval of the Governor of Andhra appoint ’, the words ‘ as the Governor of Andhra may in consultation with the Chief Justice, appoint ’ shall be substituted.”

SRI M. VEERABHADRAM—

“ 100 For the words ‘ as the Chief Justice may . . . appoint ’ substitute the words ‘ as the Andhra Legislature decides.’ ”

SRI K. KRISHNA RAO—

“ 101 For the words ‘ as the Chief Justice may, with the approval of the Governor of Andhra, appoint ’, substitute the words ‘ as the Legislative Assembly of that State shall decide.’ ”

SRI K. VENKAIAH—

“ 102 For the words ‘ Governor ’, substitute the words ‘ Legislative Assembly.’ ”

SRI PILLALAMARRI VENKATESWARLU :—“ Sir, most of the members are not aware that their amendments would be coming up now . . . ”

MR. SPEAKER :—“ It is the duty of every Member to be here between 8-30 a.m. and 1-30 p.m.”

SRI PILLALAMARRI VENKATESWARLU :—“ That is true, Sir. The point is because most of the members did not know that their amendments would be coming up now, they have just gone out. I request they may be given an opportunity to move their amendments.”

MR. SPEAKER :—“ If they come back during the discussion of the clause, I have no objection. But this should not be taken as a precedent afterwards.”

SRI R. SIDDANNA GOWD :—“ Sir, from the nature of the resolutions and amendments given notice of to all these clauses, it will be seen that it is not as easy to select the place where the High Court should be located and when it should start, as is considered to be by hon. Members. It is the bone of contention just as the location of the Capital in the Andhra Pradesh. The selection of a Capital in the new Andhra State has created many new problems in addition to those which are already prevailing in the proposed Andhra State. It is very difficult for this House to select the location of the High Court till the Capital is decided. There are various opinions, Sir, on this subject. Some want that the High Court should be left where it is for some time. Mr. Justice Wanchoo also suggests this for various reasons given in his report. (Interruption.) This is embodied in his report from pages 8 to 11, and he says that it is advisable from all points of view, from the point of convenience to the advocates, their clerks and staff, to the Judges and staff of the High Court and

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also for the speedy disposal of the cases as also for the conveniences of the clientele that the High Court should be located and allowed to continue at Madras itself for some time to come. This is one view, Sir. It is recommended and strongly recommended by Justice Wanchoo.

" Sir, there is another view which cannot be easily brushed aside, as the hon. Member Sri Gopala Menon sought to convey to this House. It should be remembered, Sir, that there is what is called the Sri Bagh Pact arrived at between the representatives of Coastal districts and the representatives of Rayalaseema. It says that either the High Court or the Capital whichever is chosen by the Rayalaseemites should be located in Rayalseema. Though the temporary Capital is to be at Kurnool, the Capital of Andhra has not yet been located the Rayalaseema permanently. A dispute has arisen and from the trend of events, from conversations and discussions that are going on in Legislature Party meetings and elsewhere, there is a likelihood of the selection of Kurnool as the Capital of the Andhra State being altered. If the Capital is changed from Kurnool to Visakhapatnam or Tirupati or Guntur or Vijayavada, then according to the Sri Bagh Pact, the location of the High Court has to be determined and the Sri Bagh Pact should be implemented by allowing the High Court to be located in Rayalaseema. During the last 30 years or more, since the Andhra movement began in the Andhra Pradesh there are opinions that the Capital should be located in Vijayavada and the High Court should be located in Anantapur. It is known to every Member of this House that in accordance with the Sri Bagh Pact that the University Centre was located at Waltair, that the High Court should be located at Anantapur and the Capital at Vijayavada or Vijayavda-Guntur. Therefore, Sir, it is very difficult to select the place where the High Court should be located and when it should be shifted from Madras. Under these circumstances, I feel it most expedient that the clause should be left as it is without passing any of the amendments given notice of by many hon. Members. 10-20 a.m.

" The decision to locate the Capital at Kurnool is leading to various difficulties from the point of view of accommodation. When once a Capital is chosen, it is also necessary that various organs of the Government should be located there in the interests of good and efficient administration. The Secretariat and the various heads of departments, viz., Inspector-General of Police, Inspector of Local Boards, Registrar of Co-operative Societies, Chief Engineers, etc., should be located at the seat of administration and only then it would contribute to efficient administration. Hon. Members who attend the Legislative Assembly sittings may have to interview many officers and this may not be possible if all the organs of Government are scattered all over the Andhra districts. It is therefore necessary that in the interests of efficient and good administration all the organs of the Government as far as possible should be located in one and the same place where the Capital is to be located. From the point of view of accommodation also, it is found that Kurnool is a very bad place and it is

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impossible to locate both the High Court and the Capital at Kurnool. From the point of view of finance also, the Government of India have not given us any subvention as in the case of Orissa. Only they have promised to give us Rs. 40.0 lakhs by way of loan"

MR. SPEAKER :—“ The hon. Member's time is up.”

SRI B. SANKARAYYA :—“ అధ్యక్షా, ఈ ఆంధ్రరాష్ట్ర విజయములో మాట్లాడే టప్పుడు శ్రీ ప్రకాశంగారు కొన్ని విషయాలు చెప్పారు. ఆంధ్ర రాష్ట్ర విజయంలో ఆంధ్రదేశపురోధివృద్ధికి అడ్డు కలిగించేవి నష్ట కరమైనవి కాక జాలు అనేకం ఉన్నాయని చెప్పారు. అటువంటి విషయాలలో ముఖ్యమైనది ఆంధ్ర రాష్ట్రానికి హైకోర్టు రాకుండా చేసేకాజు. అటువంటి నష్టకరమైన కాజును విజయించి తొలగించి, ఆంధ్రదేశ పురోధివృద్ధికి అడ్డుకలిగించకుండా చేయడానికి ప్రకాశంగారు ఏమిచేశారు? వీటన్నింటినీ తొలగించ వలసిన బాధ్యత ఈ సభ్యులపై వున్నది. హైకోర్టు విషయం తీసుకుంటే, జస్టిస్ వాంచూ గారు నచ్చినప్పుడు ఒకవైపున రాజధానిని మాత్రం మద్రాసులో పెట్టుడానికి వీలులేదని—అందుకు విమాత్రం అవకాశం లేదు అని చెప్పిన మద్రాసు మంత్రివర్గమే ఒకే హైకోర్టు రెండురాష్ట్రాలకు వుండవచ్చునని చాలా కుట్ర చేశారు. అటువంటి కుట్ర ఫలితమే ఈవేళ హైకోర్టు వెంటనే ఆంధ్ర దేశం రాకుండా, ఒకే హైకోర్టు వుంటుంది అనే కాజు. వేరే హైకోర్టు ఆంధ్రదేశానికి రాలేదంటే దీని వెనుక ఎంతో కుట్ర వున్నదని చెప్పి ప్రతివారికీ తెలుసు. రాజధాని మద్రాసులో ఒక రోజు వుండడానికి వీలులేదని చెప్పినవారు ఆంధ్రరాష్ట్ర హైకోర్టు మద్రాసులో వుండవచ్చునని చెప్పి ఆంధ్రదేశపురోధివృద్ధికి అడ్డు కలిగించడానికి కుట్రచేశారు. మొట్టమొదటినుంచి మేము దీన్ని ఎదిరిస్తూనే వున్నాం. అటువంటి కుట్ర సాగడానికి వీలులేదని, ఆంధ్ర రాజధాని మద్రాసులో వుండనప్పుడు హైకోర్టు మద్రాసులో వుండడంలో అర్థం లేదని, ఆంధ్ర దేశంలోనే హైకోర్టు ఏర్పాటుచేసుకోవచ్చునని సంజీవరెడ్డిగారుమాడే పరికా ప్రకటన చేశారు. కాని ఆ ప్రకటన ఏమైనది? ప్రజాస్వామ్య పక్షంలోని చెప్పే నాయకులు ఈవేళ హైకోర్టు రాకుండాను, రాజధానిని కర్నూలుకు తీసుకువెళ్లి, ఆంధ్రదేశపురోధివృద్ధికి అటంకం కలుగ చేశారు. ఈవేళ ఆంధ్రదేశపురోధివృద్ధికి దోహదం చేసే హైకోర్టు విషయంలో వీళ్ళ శ్రద్ధ వహించడం లేదంటే, వీళ్ళచేస్తున్న కుట్రలు అర్థం అవుతాయి. ఆంధ్రప్రజలు ఆంధ్ర రాష్ట్రాన్ని కోరినటువంటి ఉద్దేశం పరిపాలన ఆంధ్రలోనే జరగాలి అని సామాన్యమైన రైతు కూలీలకు పరిపాలనలో భాగం కావాలని ఆశిస్తూ ఆంధ్రరాష్ట్రాని కోసము పోరాడారు. కోర్టులో అన్ని విషయాలుకూడా తెలుగులో జరగాలి అని అన్ని పరిపాలన వ్యవహారాలు తమ మాతృ భాష అయిన తెలుగులో జరిగినప్పుడే సామాన్య ప్రజానీకం పరిపాలనలో భాగస్వామి కావడానికి అవకాశం వుంటుందని ఆంధ్రరాష్ట్రానికోసము పోరాడడం జరిగింది. కాని ఈవేళ ప్రత్యేక హైకోర్టు ఆంధ్ర రాష్ట్రానికి లేకుండా ఒకే హైకోర్టు వుంటుందని విజయం చేర్చారు. అంతేకాకుండా అధికంగా తీసుకున్నప్పటికీ యావదాంధ్ర ప్రజలు 11 జిల్లాలు ఏ తాలుకాలనుంచి హైకోర్టు వ్యవహారాల నిమిత్తం మద్రాసుకు రావాలి. ఎంతోమంది ఉద్యోగస్తులను కలుసుకోవాలి. ఈ విధంగా ఆంధ్రుల డబ్బంతాకూడా, ఐకమండుకూడా పూర్వం వలెనే, మద్రాసులో అనేక విధాల ఆంధ్రదేశపురోధివృద్ధికి ఉపయోగపడకుండా ఆంధ్రరాష్ట్రాని ఏర్పడిన పిచ్చుటకూడా, ఖర్చు అవుతున్నావుంటుంది. మేము నాయకులు వస్తున్న కుట్రలను మొదటినుంచి ఎదిరిస్తూనే వున్నాం. మద్రాసు

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మంత్రివర్గం ఆంధ్రుల ఇంటిరెస్తును, అభివృద్ధిని కోరిడలేదు. రాజగోపాలాచారిగారి మంత్రివర్గము మద్రాసులో తాత్కాలిక రాజధాని వుంచడానికి వ్యతిరేకించి, ఆంధ్రుల పురోభివృద్ధికి ఆటంకం కలిగించే ఎహ్‌కొర్టును సంబంధించిన క్లాజును ఎలా బలపరుస్తున్నారో తెలియడం లేదు. పంపాలనా వ్యవహారాలు మాతృభాషలో జరిగి, ఆంధ్రుల డబ్బు రాష్ట్ర పురోభివృద్ధికి వినియోగపడాలి అని కాక్షించే ప్రజాస్వామిక వాదం దరూ ఆంధ్ర ఎహ్‌కొర్టు ఆంధ్ర రాష్ట్ర స్వరాజంతోనే ప్రత్యేకంగా ఆంధ్ర రాష్ట్రం లోనే ఏర్పడాలి అనే సవరణను బలపరచాలి అని కోరుతూ, ఇంతటితో నేను విరమిస్తున్నాను.”

SRI H. SATYANARAYANA DORA:—“ Mr. Speaker, the 10-30 amendment which stands in my name is very simple. It is only a verbal alteration that is sought to be made and I hope the House will have no objection to accept it. I only meant that the Governor as Head of the State should be given precedence over the Chief Justice.” a.m.

SRI P. RAMAMURTHI:—“ Mr. Speaker, my amendment is very simple. It seeks to vest the power of choosing the place for the location of the High Court in the Legislative Assembly of the Andhra State.”

SRI G. LATCHANNA:—“ According to my amendment, I want that the selection of a place for the High Court should be on the basis of Mr. Wanchoo's report and in accordance with the Sri Bagh Pact and I hope the House will accept my amendment.”

SRI PILLALAMARRI VENKATESWARLU:—“ Mr. Speaker, from the beginning, our party is very particular that the High Court should also be separated from Madras as early as possible and many representations were also made to that effect. I also understand that many of our Tamil friends are equally anxious that the High Court should be separated soon and also shifted from Madras as early as possible. In this connexion there is one point which the House must take into consideration. Who is to determine the place, whether it is the President or the Governor or the Assembly? There are some Members who feel that it may be decided according to Mr. Wanchoo's report and we have got our own objection to that. In fact Mr. Wanchoo's report was not accepted by any party as such. So there is no question of going into Mr. Wanchoo's report or accepting his recommendations on this issue only. What we suggest is that it should be left to the Andhra Legislative Assembly where the High Court should be located. Some Members feel that the President may be empowered to decide the place in consultation with the Governor and the Chief Justice. After all the President may not be in a position to know the mind of the people and may not be able to select a place which will satisfy the people. Therefore we suggest that the Andhra Assembly alone is competent to decide the place and it cannot be left to the hands of either the President or the Governor. Some Members feel that the Andhra Assembly may or may not meet, and according to them there is a greater possibility

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that it may not meet. My point is just as we have met to select a place for the location of the temporary Capital, we should again meet to select a place where the High Court should be located. That there may not be a Cabinet is a different matter. When we met to select a Capital there was no Cabinet and there need not be a Cabinet if again we are to meet and recommend a place to the Central Government. The Andhra Members of the Madras Legislative Assembly can meet for this specific purpose of deciding upon a place for the location of the High Court. It is quite possible and it can be done.

“Then, Sir, in the Bill no specific mention is made when the High Court should move from Madras. We feel that it should be as early as possible. We have suggested in our amendment that it may be before December 1953. Some Members are of the view that it may not be possible to shift the High Court till June 1954. Even to that we will have no objection provided the date is mentioned in the Bill. We therefore feel that the choice of place must be left to the Andhra Legislative Assembly and the date before which the Andhra High Court should be shifted from Madras should be not later than June 1954. With these few words, Sir, I conclude.”

SRI M. R. APPA RAO:—“Mr Speaker, it has been decided to inaugurate the Andhra State on 1st October 1953. The Andhras feel that the High Court also should be located in the Andhra territory. Where it should be located, we feel that it is better the Governor decides, instead of the Chief Justice. We have chosen Kurnool as the temporary Capital and we will know after two days whether it is going to stand. In considering the place for the High Court, it is better if Sri Bagh Pact is kept in mind according to which the University Centre should be in one place, the Capital in another place and the High Court in a third place. Now, the University is in Waltair and we have chosen Kurnool as the temporary Capital. It will be in the fitness of things if the High Court is located in Vijayavada. I therefore support the amendment moved by Sri G. Latchanna and request the House to accept it unanimously.”

* **SRI K. V. RAMESAM:**—“Two things arise for consideration so far as this clause is concerned, namely, what is the place at which the High Court is to be located and who is to determine the place. It has already been brought to the notice of this House that in considering these two questions the Sri Bagh Pact must be respected. And in pursuance of the terms of the Sri Bagh Pact, it has already been decided by the Andhra Members of the Madras Legislative Assembly that Kurnool is to be the seat of administration and we cannot go back on that decision.”

“In respecting the terms of the Sri Bagh Pact we have complied with the choice of the people of Rayalaseema to have the seat of Government in Rayalaseema and the other question remains as to where the High Court is to be located. Naturally it will have to be somewhere in the Northern Circars and we

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will have to confine our attention to that particular question. In limiting this choice, the section imposes a restriction upon the discretion of the House. If the Chief Justice is given the final choice, it may come into conflict with the decision of the Members of the Assembly which, I submit, is not desirable. Therefore, the question where the High Court or the division courts are to be located should be exclusively determined by the Members of the Assembly; otherwise the difficulty or the possibility of conflict with the decision of the sovereign Assembly and of the Chief Justice might arise. In order to avoid that, I suggest that in the matter of selection of the seat of the High Court and the division courts, it should be the State Assembly Members that should decide and the suggestions or advice that may be tendered by the Chief Justice or by the Governor may also be considered by the Assembly. I, therefore, appeal to hon Members that this aspect of the matter must be borne in mind before accepting the amendment that has been proposed, and further it is necessary that the High Court must simultaneously be made to function along with the formation of the Andhra State."

* SRI P. PUNDARIKAKSHACHARYULU :—" Mr. Speaker, Sir, I wish to take this opportunity to answer some charges levelled against our Krishikarlok Party in saying that the capital should be located at Tirupathi and the High Court at Vijayavada-Guntur and the various other offices at other places. I request hon. Members to study the context in which we made such a proposal. When Mr. Justice Wanchoo made a proposal that the temporary capital can be located at Madras and it was rejected by the Madras Government, the Hon. the Chief Minister made the suggestion that the capital can be located at Nellore and the High Court and the various other offices may be continued at Madras. In that connexion we strongly protested why when the temporary capital cannot be continued at Madras, the High Court and other offices should be continued at Madras. Therefore, we made the statement that the High Court should at once be shifted to Andhra soil. Then the question arose whether there is sufficient accommodation for the various offices and in that connexion we suggested that the offices can be located at places other than the capital. It is not with any ulterior intention that we made the suggestion and it is not in order to make the capital a name-sake capital. Now, Sir, let me come to the Sri Bagh Pact. According to that pact and the feelings in Rayalaseema, we gave notice of an amendment for the location of the capital at Tirupathi and if the capital is accepted to be at that place, I wish to submit to the House that the High Court might be located in Vijayavada-Guntur as suggested by Justice Wanchoo. The places mentioned by Justice Wanchoo as suitable for the location of the High Court or the temporary capital or the permanent capital are Tirupathi, Visakhapatnam, Vijayavada-Guntur. In the fitness of things when the Rayalaseema people according to the Sri Bagh Pact want the capital in the Rayalaseema, we suggest (and according to Wanchoo also) that the capital can be located in Tirupathi and the High Court at Vijayavada-Guntur. In the alternative if the

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Assembly decides upon the location of the capital at Vijayavada-Guntur, I wish to submit that the High Court can be located at Tirupathi. Thank you, Sir."

SRI P. RAMAMURTHI:—"I wish to make a slight change in the amendment; it is only a verbal amendment. My amendment reads—

"This House recommends to the Parliament of India that clause 36 of the Andhra State Bill be amended so as to provide that the High Court of Andhra and the Judges and division courts thereof shall sit at such place or places in the State of Andhra as the Legislative Assembly of that State may decide."

I suggest that in the place of the words 'as the Legislative Assembly of that State may decide' the following words may be substituted, namely, 'as the Members of the Legislative Assembly of that State may decide at a meeting'. This is a small amendment and my friend Sri Nagi Reddi will explain the amendment, Sir."

* **SRI T. NAGI REDDI:**—"Mr. Speaker, Sir, we are discussing the establishment of a High Court for Andhra and the time and place where it should be established. It has been accepted on all hands that a separate High Court for Andhra should be established and that is provided for in the Bill itself and certain important changes have to be made in respect of that provision so as to clarify certain matters. It has been said in the Bill—

"The President shall, as soon as may be after a resolution recommending the establishment of a separate High Court for the State of Andhra has been adopted by the Legislative Assembly of that State and submitted to him, appoint by notification in the Official Gazette a date for the purpose of sub-section (1)."

In this connexion, I would like that there should be a clause which would fix a date within which the notification should be issued, say, not later than the 1st June 1954. For that purpose, I shall take Sri Venkatasubba Reddi's amendment as the basis, namely,—

"The President shall, as soon as may be convenient or on the passing of a resolution by the State Assembly of the Andhra State, appoint by notification in the Official Gazette a date for the purpose of sub-clause (1)."

and to it I shall add at the end the words 'which shall not be not later than the 1st June 1954'."

MR. SPEAKER:—"But Mr. Venkatasubba Reddi has not moved the amendment. In so far as this has been left cut to be dealt with later, we shall take it up afterwards."

* **SRI T. NAGI REDDI:**—"Then, Sir, there is an amendment on the order paper in the name of Sri Latchanna (Amendment No. 92)—

"This Assembly recommends that for the words "at such place or places", the words "in any of the two centres indicated by Justice Wanchoo and in the light of the Sri Bagh Pact" shall be substituted.

This is in respect of clause 36. In this connexion, I would like to inform the House that two months ago the Andhra legislators met to decide the question of the capital in accordance with the wishes of the people of Andhra as a whole. In other words the

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issue of the capital was decided not by the President and not by the Government but by the Legislative Assembly Members of Andhra.

“ A provision was made that the Andhra Legislative Assembly Members may meet in a particular place at a particular time to decide the question of capital, according to the wishes of the people. That had been done. Similarly with regard to the location of the High Court also it is the wish of the people that its location should be decided by the representatives of the people of Andhra, I mean, the Andhra Legislative Assembly Members. That is the proper way in which things should be done. Some hon. Members have waxed eloquent on the Sri Bagh Pact. What is the Sri Bagh Pact? It was an agreement entered into between two parties by which either the choice of the capital or the High Court was given to the Rayalaseema people. So far as the capital is concerned the democratic procedure has been followed. The Andhra Members met and we have decided upon a particular place for the same. When such is the thing, why can't we follow the same procedure here also? Why should we leave the choice of the location of the Andhra High Court to a Governor or the Government or the President? I am really surprised to find that those who were so very anxious to bring about this state of affairs here are now coming on with amendments which would take away the right of the Andhra Legislators from choosing their own High Court in a suitable place. It is my humble opinion that this composite Assembly cannot express its opinion regarding the location of the Andhra High Court. This Assembly cannot choose between any two of the places recommended by Justice Wanchoo for the location of the Andhra High Court. The final choice should be left to the representatives of the Andhra public. That is why the Communist Party have given their amendment. What does it say? It says—

10-50
a.m.

‘ This House recommends to the Parliament of India that clause 36 of the Andhra State Bill be amended so as to provide that the High Court of Andhra and the Judges and division courts thereof shall sit at such place or places in the State of Andhra as the Legislative Assembly of that State may decide.’

As Mr. Ramamurthi had observed the choice should be left to the Andhra Legislative Assembly, the composite Assembly cannot discuss this question. That is my submission. In the same manner as we have been called upon to choose the capital of Andhra let the Government of India or the President issue a special directive to all the Andhra Legislators to choose a place for their own High Court. We shall immediately meet and decide on a suitable place. If conditions permit we shall move on the very appointed day. I have no objection. But the only democratic method should be for us to choose the final location of the High Court.

“ Of course as hon. Members know the Andhra Legislature is composed of diverse political elements. One cannot say whether on the appointed day we shall have a popular Ministry or not. In the case of there being no popular Ministry, what is the only course left? We shall have the Governor's rule. Where

[Sri T. Nagi Reddi]

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can the Legislature be summoned then? That is why my amendment to Sri T. N. Venkatasubba Reddi's amendment has been put. That covers this possibility. In the event of there being Governor's rule, I have fixed a definite date, viz., 1st June 1954. On no account could we remain without our own Andhra High Court beyond 1st June 1954. Hon. Members on an impartial observation will not fail to see the reasonableness behind my amendment. I would request all Andhra Members irrespective of their party affiliations to vote unanimously for this amendment and show to the Government of India that Andhras as a whole had expressed their unanimous desire that the final choice of the location of the High Court should be entirely left to them and that they are anxious enough to move to their own territory within the shortest possible time. Therefore experienced members like Sri Koti Reddi and others may cast their votes in favour of my amendment.

"I would like to mention one more point before I close, Sir. It is true that Mr. Justice Wanchoo had recommended either Tirupathi or Guntur as a suitable place for the location of the Andhra High Court. It is here I enter my protest. The exact location of the Andhra High Court should be left to be decided by the representatives of the Andhras for whom the High Court and all its connected courts are intended. Let us not overlook that fact. Are we not the best judges of our own affairs? If on the other hand the Government of India think that the Andhra High Court also should be moved on the appointed day to Andhra territory, I say, well and good. Let them immediately call for a conference of Andhra Legislators after the present session is over or sometime afterwards. We shall then decide the location of the High Court as we did the capital. If other conditions are also favourable by all means let us have *our own* High Court in *our own* territory on the day when our new State is born.

"In the fervent hope that all hon. Members will definitely not fail to see the reasonableness of my amendment and vote unanimously for the same irrespective of party feelings, I shall conclude, Sir."

11 a.m. * SRI T. VISWANATHAM:—"I already stated that for the present myself and my party have decided to keep the provisions as they are at present. Let it not be imagined that we are not anxious to have the Andhra High Court in our own area. But hon. Members may be aware of the impracticability and difficulties that have arisen, direct or otherwise out of our trying to move the Andhra Secretariat and the Legislature to a place different from Madras, where all along we have been running a combined administration."

SRI P. RAMAMURTHI:—"On a point of order, Sir. I am afraid that Sri Viswantham is thinking that we are discussing the amendment to the clause requiring a date to be fixed for the location of the High Court. We are now on the clause which seeks to provide a seat for the Andhra High Court."

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* SRI T. VISWANATHAM:—"Let me inform Mr. Ramamurthi that I was speaking only on the practical difficulties involved in moving the High Court to Andhra on the appointed day. I do not want to enter into any dispute with any one. It was on the grounds of practicability that myself and my party decided in favour of preserving the *status quo* till such time as the Andhra Legislature decided the exact date of location of the Andhra High Court. A suggestion had been put forward that the decision regarding the location of the Andhra High Court itself should be left to the Andhra legislators to decide, and not to the Chief Justice or Governor. A section opposes discretion being given to the Governor to decide upon the exact location of the Andhra High Court on the advice of the Chief Justice. A careful scrutiny of the clause will reveal that not only the High Court but even the division courts thereof shall sit at such place or places in the State of Andhra as the Chief Justice may, with the approval of the Governor of Andhra, decide. It is not merely a clause. It is a comprehensive clause which relates not merely to the location of the principal seat of justice but also to certain other matters connected with it and also with the arrangement connected with the selection of suitable places for the functioning of division courts also. These are matters which concern the Chief Justice only and of course to some extent Government also. But can it be said that it falls under the purview of the Legislature? For instance, can we pass a resolution in the Andhra Legislature saying that such and such a place shall, after some day, form the site of the office of the Chief Engineer? Is it not a domestic matter that should be decided by the chief of that department and the Government? Can such a small matter, which falls within the purview of day-to-day administration be discussed in the Legislature? Surely not. These are things that are being decided by Government in their day-to-day administration. Why should we, legislators, bother over those trivial details as the location of the office of the Chief Engineer or any such matter connected therewith? Those who are conversant with the ordinary running of administration will realize that the Legislative Assembly is not the best medium to consider these questions but that these are matters which are generally left to the executive administration. What do we find in this clause? I see nothing overriding our powers in it. The power to decide the location of the High Court and division courts has been given to the Chief Justice, who is the head of the department of justice. Is it any wonder that he is given such a power? After all he alone is the competent judge in these domestic matters under his charge. That is why myself and my party do not oppose it. That is why we did not want to interfere with the present arrangement. We allowed the *status quo* to continue for some more time. As soon as things settle down, we will lose no time in moving the High Court to our own Andhra. Let no one have any misgivings on that score.

"Sir, some friends have expressed the fear that the Governor's rule may come into being on the 1st October 1953. No doubt,

[Sri T. Viswanatham]

[21st July 1953]

Sir, it is true that the Andhra Legislature is composed of diverse political parties no one commanding an absolute majority to form the Government. After all, Sir, in our democracy the Governor is only the constitutional head. He carries on the administration with the advice of a Council of Ministers. The Governor has got to call the leader of the majority party in the Legislature to form the Government. On my own behalf and on behalf of the party I represent, let me assure those hon. Friends who have expressed the fear that the Governor's rule may come into being on the 1st October 1953 in Andhra, that no such thing shall ever happen. There will be a Ministry. Though it may not command a big majority, yet it will have a workable majority. I do not think it is an insurmountable difficulty. We will have a popular Ministry. The Government will be there. The Assembly will be there. We will be there. The Ministers will be there. In fact I expect lively discussions in our new Legislature, for as you know, Mr. Speaker, I am one of those who are fond of lively discussions on the floor of the House always. I am anxiously looking forward for that day, I mean, 1st of October 1953, though personally speaking I would prefer the 2nd instead of the 1st. (Cheers.)

“As a matter of fact it may be seen from the Constitution that nowhere is it stated that the place of the High Court of a State shall be determined by its Legislature. In fact it is a thing that is to be decided by the Chief Justice and the Government. To suit his administrative convenience and taking into account all other relevant factors, the Chief Justice shall determine the place of the High Court and the division courts. There is nothing unnatural in this. We are not taking away the democratic right of the Andhra Legislature by giving power to the Chief Justice to decide the location of the High Court. Because of the impracticability of moving the Andhra High Court on the appointed day itself and the incidental difficulties that such a procedure may involve, we have decided in favour of the clause as it stands.”

* THE HON. SRI C. SUBRAMANIAM:—“Sir, I have listened with great respect to the speech of the hon. Member Sri T. Viswanatham and I may say that I agree with him. With regard to the location of the High Court and the division courts I am inclined to agree with Sri Viswanatham that the same should be left to the discretion of the Chief Justice and not to the Legislature. Nowhere in the Constitution is it stated that the location of High Court of a State shall be determined by its Legislature. There is no constitutional bar against the Chief Justice determining the location of the High Court and the division courts under his jurisdiction. In fact the Government have got the power to change the location of courts to suit their administrative convenience. But that, of course, would be done only in consultation with the Chief Justice.

“Let not Mr. Nagi Reddi and others have any misgivings whether there would be Governor's rule in the new Andhra State at the outset. Let me tell Mr. Nagi Reddi that for my part

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[Sri C. Subramaniam]

would very much appreciate a popular Ministry functioning from the very outset. The new Andhra State should have a popular Chief Minister and Ministers like Sri Viswanatham so that lively discussions of a more lively character than ours will take place in the new Andhra Legislature. Let us hope for the best. I would very much appreciate a popular Government functioning in our sister Andhra State at the time the new State is born.

“ Let me now come to the present controversy? What is it? Some object to the power being given to the Governor to choose the place of the High Court and division courts in consultation with the Chief Justice?

“ My own view is that the provision as it is giving the power 11-10
to the Governor to locate the initial seat of the High Court will a.m.
suffice. But if you want to take a vote and decide about it in this Assembly, I should say that it should be left to the Andhra Members to decide about it and the Members of the residuary Madras State should not impose their decision and their views on the Andhra Members. Taking an impartial and impersonal view of the whole thing, I am inclined to think that it is for the hon. Members coming from the Andhra to decide on it. But practical convenience is in favour of the provisions made in the draft Bill. If necessary I have no objection and I think it would be better also to amend the clause to read ‘ The Governor in consultation with the Chief Justice of Andhra ’, because the Governor is responsible personally not only for the Executive but he is the head of the whole State and it is but fair that the Governor should be given the power to locate the seat of the High Court in consultation with the Chief Justice. That may be a proper thing and we should not bring in the Members of the Assembly or the Assembly as such into the picture. The ultimate responsibility and the ultimate power vest in the Assembly as the representatives of the people and they can always change the place. But the initial choice should be left to the Governor. I would therefore appeal to the hon. Members coming from the residuary Madras State that we should not impose either our views or our decision on this matter. It should be left to the Andhra Members to take a decision on this.”

* SRI P. RAMAMURTHI:—“ Sir, I want just to clarify one point. I do not want it to be understood that there is any interference in the internal affairs of the future Andhra State by the Members who are not Members of the Andhra State. Here we are not deciding the question of the location of the High Court. But we are deciding a certain principle and that principle, we feel, should be a democratic one. The Andhra Members must have a voice in that. Therefore, this is not a question of interference. I am unable to accept the suggestion.”

THE HON. SRI C. RAJAGOPALACHARI:—“ Division courts also? ”

[Sri P. Ramamurthi] [21st July 1953]

SRI P. RAMAMURTHI:—"I will omit reference to division courts and recast the amendment as follows:—

"That this House recommends to the Parliament of India that clause 36 of the Andhra State Bill be amended so as to provide that the High Court of Andhra shall sit at such place in the State of Andhra as the Members of the Legislative Assembly of that State may decide at a meeting."

MR. SPEAKER:—"The question is—

"That this House recommends to the Parliament of India that clause 36 of the Andhra State Bill be amended so as to provide that the High Court of Andhra shall sit at such place in the State of Andhra as the Members of the Legislative Assembly of that State may decide at a meeting."

The amendment was put and declared lost.

A poll was demanded and the House divided thus:

11-20
a.m.

Ayes 66.

Sri G. Anjaneyulu.
" T. S. Ardhanari.
" G. Bapanayya.
" Chandra Ramalingaiah.
" Gopalakrishnaiah, Vavilala.
" P. K. Gopalakrishnan.
" K. P. Gopalan.
" K. C. Gopalan Unni.
" K. Govinda Rao.
" M. Hanumantha Rao.
" G. Joseph.
" M. Kalyanasundaram.
" C. Kandasami.
" C. H. Kanaran.
" S. Kasireddy.
" G. C. Kondayya.
" R. Krishnan.
" K. Krishna Rao.
" M. Kune Rao.
" E. T. Kunhan.
" Lakshminarayana Reddi.
" M. Lakshmanaswamy.
" D. Lakshmayya.
" B. Lakshminarasa Raju.
" V. Madanagopal.
" K. Madhavan Nambiar.
" K. Malekondayya.
" G. Nageshwara Rao.
" T. Nagi Reddi.
" P. Narasimha Reddi.
" T. C. Narayana Nambiar.
" M. Narayanasamy.
" M. Palaniandi.

Sri T. Potha Raju.
" C. Prabakara Choudary.
" C. Pulla Reddi.
" K. Rajagopala Rao.
" K. T. Raju.
" P. S. Ramachandra Rao.
" B. Ramakrishna Rao.
" S. Ramalingam.
" P. Ramamurthi.
" N. V. Rama Rao.
" P. Rama Rao.
" V. Rama Rao.
" K. V. Ramesam.
" K. Ranga Rao.
" B. Sankarayya.
" G. Satyanarayana.
" D. Seetharamiah.
" N. Sivaram.
" N. Sivarami Reddi.
" B. Subba Raju.
" K. Subba Reddi.
" P. Shyamundar Rao.
" Vadivelu.
" M. Veerabhadram.
" K. Venkajiah.
" C. V. K. Rao.
" R. Venkata Jagga Rao.
" Venkataramaraju, Alluri.
" Venkata Rao, Saka.
" P. Venkatasiviah.
" P. Venkatesha Sholagar.
" Venkateswarlu Pillalamarri.
" G. Yellamanda Reddi.

Noes 66.

Sri K. Adikesavalu Naidu.
" K. Appa Naidu.
" Appa Rao Bahadur, Rajah Meka Rangayya.
" T. C. Atchannaidu.
" P. Bapu Naidu.
" N. Chenchurama Naidu.
" V. Chidanandam.
" Gajapathi Raju P. V. R. (Raja of Vizianagaram).
" P. Gunnayya.
" O. Koran.
" K. Koti Reddi.

Srimathi Thamma Kotamma Reddi.
" Sri P. Kunhirama Kidav.
" C. Kunhirama Kurup.
" L. Lakshmana Das.
" G. Latchanna.
" T. Mallayya.
" Dr. K. B. Menon.
" Sri K. Moidu.
" Ch. S. R. V. P. Murthy Raju.
" G. Nagabhushanam.
" N. V. L. Narasimha Rao.
" Narayana Kavali.
" M. Narayana Kurup.

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Noes 66—cont.

Sri S. Narayanappa.
 „ S. Pakkirisami Pillay.
 „ K. V. S. Padmanabha Raju.
 „ M. K. Padmaprabha Gounder.
 The Hon. Sri S. B. P. Pattabhi Rama Rao.
 Sri T. Prakasam.
 „ V. Pundarikakshacharyulu.
 „ M. Rajeswara Rao.
 „ N. Ramabhadra Raju.
 „ D. Ramabrahmam.
 „ H. Ramalinga Reddi.
 „ P. Ranga Reddi.
 „ P. Sangam Naidu.
 The Hon. Sri D. Sanjivayya.
 Sri V. Sankaranarayana Menon.
 „ K. Santhappa.
 „ H. Satyanarayana Dora.
 „ R. Siddanna Gowd.
 „ G. Sivasankara Reddi.
 „ K. T. Sridharan.
 „ Srungaram.

Sri M. Subba Reddi.
 „ C. Subbarayudu.
 „ R. B. V. Sudarsana Varma.
 „ P. Suryaachandra Rao.
 „ K. Suryanarayana.
 „ Suryanarayana Raju, Raja Sagi.
 „ G. Suryanarayana.
 „ P. Thimma Reddi.
 „ K. Varadaohari.
 „ K. Veeranna Padal.
 „ K. V. Vema Reddy.
 „ K. Venkata Kurmi Nayudu.
 „ K. Venkata Setty.
 „ M. Venkatasubba Reddi.
 „ T. N. Venkatasubba Reddi.
 „ P. Venkatasubbayya.
 „ A. Venkatasubramaniam.
 „ N. Venkatayya.
 „ K. Venkatnarayana Dora.
 „ A. Venkatramaiah.
 „ T. Viswanatham.

Neutral 103.

Sri Aigyanar.
 „ L. Anandan.
 „ T. Anantha Pai.
 „ Anthony Peter.
 „ K. Aranganathan.
 „ R. S. Arumugam.
 „ V. Arumugam.
 „ V. Balakrishnan.
 „ B. Bhaktavatsalu Naidu.
 „ K. H. Bomman.
 „ M. Chadayan.
 „ P. Chellathurai.
 „ O. Chengam Pillai.
 „ S. Chinnakaruppa Thevar.
 „ V. S. Chinnasami Naidu.
 „ V. Chinnayya.
 „ AR. A. R. M. Chokkalingam Chettiar.
 „ V. Darmalinga Nayakar.
 „ M. Dharmalingam.
 „ T. P. Elumalai.
 „ W. J. Fernandez.
 „ K. Gajapathy Reddy.
 „ T. Ganapathy.
 „ M. Gangappa.
 „ V. Gopala Gounder.
 „ G. Govindan.
 „ K. Ishwara.
 „ M. Jagannathan.
 „ M. Kandaswami Padayachi.
 „ S. Kandaswami Gounder.
 „ P. G. Karuthiruman.
 „ M. Kattimuthu.
 The Hon. Dr. U. Krishna Rao.
 Sri P. S. Krishnaswami Ayyangar.
 „ R. Krishnaswami Naidu.
 „ Kunhi Muhamed Shafee.
 „ R. Kuppaswami.
 The Hon. Sri K. P. Kuttikrishnan Nayar.
 Sri S. Lakshmana Gounder.
 „ K. S. Lakshminipathy Naicker.
 „ N. Mahalingam.
 The Hon. Sri M. A. Manickavelu Naicker.

Sri P. G. Manickam.
 „ M. Marimuthu.
 „ Mahomed Salih Maraikayar.
 „ N. Mounaguruswamy Naidu.
 „ M. S. Munisami Pillai.
 „ C. Muthiah Pillay.
 „ V. Muthu.
 „ Muthukumaraswamy.
 „ A. Muthuswami.
 „ B. R. M. Muthu Thevar.
 The Hon. Dr. R. Nagan Gouda.
 Sri V. R. Nagarajan.
 „ P. S. Nalla Gounder.
 „ B. K. Nallasamy.
 „ M. Palanimuthu.
 The Hon. Sri V. C. Palanisami Gounder.
 Sri V. K. Palanisami Gounder.
 „ R. S. K. Pandian.
 „ B. Parameswaran.
 „ S. Parameswarappa.
 „ K. Parthasarathy.
 „ S. Radhakrishnan.
 „ E. L. Raghava Mudaliar.
 „ N. Rajagopal.
 „ C. Rajam Ramasami.
 „ K. Rajaram.
 „ N. Ramakrishna Ayyar.
 „ K. Ramasamy Doss.
 „ S. S. Ramasamy Padayachi.
 „ A. Ramasamy Thevar.
 „ P. S. Rangasamy Naidu.
 „ R. Rangasamy Gounder.
 „ N. Rathina Gounder.
 „ E. K. Sankara Varma Raja.
 „ K. M. Seethi.
 „ P. Selvaraj.
 „ A. Senapathy Gounder.
 „ Shaanmuga Rajeswara Sethupathi.
 The Hon. Raja Sri (Raja of Ramnad).
 The Hon. Sri A. B. Shetty.
 Sri Sirasappa Ijari.
 „ S. Somayajulu.

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Neutral 103—cont.

Dr. T. S. Soundaram Ramachandran.	Sri G. Vagheesam Pillay.
Sri A. S. Subbaraj.	„ A. Vaikuntam.
The Hon. Sri C. Subramaniam.	„ T. R. Varadan.
Sri I. K. Subramania Pillai.	„ O. Venkatasubba Reddi.
„ R. Thangavelu.	„ S. Venkatrama Ayyar.
„ S. P. Thiagaraja Pillay.	The Hon. Sri K. Venkataswamy Naidu.
„ S. Thinakarasaami Thevar.	Sri M. Venugopala Gounder.
„ P. K. Thirumurthi.	„ K. Vinayakam.
„ K. Uppi.	„ S. C. Virupakshiah.
„ P. Urkavalan.	„ K. R. Viswanathan.

Ayes 66 ; Noes 66 ; Neutral 103.

MR. SPEAKER:—"The result of the voting is Ayes 66, Noes 66 and Neutral 103.

"I think this is the first time here that the Speaker has got to exercise his casting vote. Under the Constitution the Speaker should not vote in the first instance, but he has got a casting vote. But the convention is that he should give the reason for the way in which he exercises his casting vote to avoid any imputation of partiality. In England the principle has been laid down that the casting vote should be so exercised as not to change the position. In other words, the *status quo* should be maintained. So I give my vote against the amendment. The final result is—

'Ayes 66, Noes 67 and Neutral 103.'

The amendment is lost.

The amendment of Sri T. Nagi Reddi (No. 91) was put and lost.

MR. SPEAKER:—"I am now going to put Mr. G. Latchanna's amendment (No. 92) to vote. The question is—

"This Assembly recommends that for the words 'at such place or places' the words 'in any of the two centres indicated by Justice Wanchoo and in the light of Sri Bagh Pact' be substituted."

The amendment was put and declared lost. A poll was demanded. The division bell was then rung.

MR. SPEAKER:—"I shall now read the amendment."

SRI T. VISWANATHAM:—"One amendment has already been lost."

MR. SPEAKER:—"It is only a view. There is difference between amendment and view."

SRI T. VISWANATHAM:—"In that case there will be no finality to any view."

MR. SPEAKER:—"Does Visala Andhra come within the scope of the Bill?"

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SRI T. VISWANATHAM :—" With regard to Visala Andhra, for example, to-morrow I may move another amendment, and say that that is my view. When once we vote for a thing we must stick to the general principle thereof; if not to the letter of it, at least to the spirit of it. When a question has been decided, we have to rule out other things covered by it."

MR. SPEAKER :—" Let the hon. Member explain what he means."

SRI T. VISWANATHAM :—" It is decided that the High Court of Andhra and the Judges and division courts thereof shall sit at such place or places in the State of Andhra as the Chief Justice may, with the approval of the Governor of Andhra, appoint. How can we have another amendment, because a view has been taken . . ."

MR. SPEAKER :—" When was it taken? "

SRI T. VISWANATHAM :—" One amendment has just now been thrown out."

MR. SPEAKER :—" The amendment to clause 36 given notice of by the Leader of the Opposition was thrown out by the House."

SRI T. VISWANATHAM :—" The House having given its verdict on that amendment . . ."

MR. SPEAKER :—" That is altogether different. What does the hon. Member want now? Does he want the Sri Bagh Pact to be honoured? That is the amendment of the hon. Member Sri Latchanna."

SRI T. VISWANATHAM :—" I thought that amendment having been rejected, clause 36 stood."

MR. SPEAKER :—" The present amendment is perfectly in order."

SRI C. V. K. RAO :—" On a point of order, Sir. I want a clarification. In regard to an earlier amendment, you said that in order to maintain the *status quo* you exercised your casting vote against that amendment. How can we take up another amendment now to that clause. I want to know whether it is in order to take up this amendment now."

MR. SPEAKER :—" The House may or may not accept this amendment."

SRI P. RAMAMURTHI :—" Sir, we have not yet taken the original clause for voting. There are other amendments on the order paper. After all the amendments are disposed of, the original clause may be taken up."

MR. SPEAKER :—" That is what I am doing."

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SRI N. RAMAKRISHNA AYYAR:—"When once Kurnool has been chosen as the capital, can it be said now that the High Court shall sit in any of the two centres indicated by Justice Wanchoo—Tirupati or Guntur?"

MR. SPEAKER:—"This House has nothing to do with all that. If hon. Members want to throw out this amendment, they can throw it out. It is entirely in their hands."

Voting on the amendment of Sri G. Latchanna (No. 92) then commenced.

The House divided as follows:—

Ayes 52.

Sri K Adikesavalu Naidu.	Sri H. Ramalinga Reddi.
" K. Appala Naidu.	" N. V. Rama Rao.
" Appa Rao Rahadur, Rajah Meka Rangayya	" K. V. Ramesam.
" T. C. Atchannaidu.	" A. Rami Reddi.
" Bapu Naidu.	" P. Ranga Reddi.
" N. Chenchurama Naidu.	" P. Sangam Naidu.
" V. Chidanandan.	The Hon. Sri D. Sanjivayya.
" D. Dasaratharamaiah Naidu.	Sri K. Santhappa.
" M. Gangappa.	" H. Satyanarayana Dora.
" P. Gunnayya.	" R. Siddanna Gowd.
" K. Koti Reddi.	" G. Sivasankara Reddi.
Srimathi Thamma Kotamma Reddi.	" M. Srungaram.
Sri B. Krishnamurthy Rao.	" M. Subba Reddi.
" L. Lakshmana Das.	" R. B. V. Sudarsana Varma.
" G. Latchanna.	" K. Suryanarayana.
" T. Mallayya.	" Suryanarayana Raju Raja Sagi.
" Ch. S. R. V. P. Murthy Raju.	" P. Thimma Reddi.
" G. Nagabushanam.	" K. Varadachari.
" Narayana Kavali.	" K. Veeranna Padal.
" S. Narayanappa.	" K. V. Vema Reddy.
" Asi Neeladrirao Reddi.	" K. Venkata Setty.
The Hon. Sri S. B. P. Pattabhi Rama Rao.	" T. N. Venkatasubba Reddi.
Sri P. Pundarikakshacharyulu.	" P. Venkatasubbayya.
" M. Rajeswara Rao.	" A. Venkatasubramaniam.
" D. Ramabrahmam.	" N. Venkatayya.
	" K. Venkatarayana Dora.
	" A. Venkatramaiah.

Noes 84.

11-50 a.m.	Sri G. Anjaneyalu.	Sri P. Kunhirama Kidav.
	" Appalaswami, Bojja.	" C. Kunhirama Kurup.
	" T. S. Ardhanari.	" Lakshminarayana Reddi.
	" K. Bapanna Dora.	" M. Lakshmanaswamy.
	" G. Bapanayya.	" D. Lakshmayya.
	" Chandra Ramalingaiah.	" B. Lakshminarasa Raju.
	" P. V. R. Gajapathi Raju (Raja of Vizianagaram).	" V. Madanagopal.
	" P. K. Gopalakrishnan.	" K. Madhavan Nambiar.
	" K. P. Gopalan.	" K. Malakondayya.
	" K. C. Gopalan Unni.	Dr. K. B. Menon.
	" K. Govinda Rao.	Sri K. Moidu.
	" M. Hanumantha Rao.	" G. Nageshwara Rao.
	" G. Joseph.	" T. Nagi Reddi.
	" M. Kalyanasundaram.	" N. V. L. Narasimha Rao.
	" C. Kandasami.	" P. Narasimha Reddi.
	" C. H. Kanaran.	" M. Narayana Kurup.
	" S. Kasireddy.	" M. Narayana Nambiar.
	" O. Koran.	" T. C. Narayana Nambiar.
	" R. Krishnan.	" M. Narayanasamy.
	" K. Krishna Rao.	" K. V. S. Padmanabha Raju.
	" M. Kune Rao.	" M. K. Padmaprabha Gounder.
	" E. T. Kunhan.	" T. Potha Raju.
		" C. Prabakara Choudary.

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Noes 84—cont.

Sri T. Prakasam.
 „ C. Pulla Reddi.
 „ K. Rajagopala Rao.
 „ K. T. Raju.
 „ N. Ramabhadra Raju.
 „ P. S. Ramachandra Rao.
 „ B. Ramakrishna Rao.
 „ S. Ramalingam.
 „ P. Ramamurthi.
 „ P. Rama Rao.
 „ V. Rama Rao.
 „ K. Ramiah Choudary.
 „ K. Ranga Rao.
 „ B. Sankarayya.
 „ G. Satiyanarayana.
 „ D. Seetharamiah.
 „ N. Sivaraj.
 „ N. Sivarami Reddi.
 „ K. T. Sridharan.
 „ B. Subba Raja.

Sri K. Subba Reddi.
 „ C. Subbarayudu.
 „ P. Suryachandrarao.
 „ G. Suryanarayana.
 „ P. Shyamsundar Rao.
 „ S. Vadivelu.
 „ M. Veerabhadram.
 „ K. Venkaiah.
 „ C. V. K. Rao.
 „ R. Venkata Jagga Rao.
 „ K. Venkata Kurmi Nayudu.
 „ Venkataramaraju, Alluri.
 „ Venkata Rao, Saka.
 „ P. Venkatasiviah.
 „ M. Venkatasubba Reddi.
 „ P. Venkatesha Sholagar.
 „ Venkateswarlu, Pillalamarri.
 „ T. Viswanatham.
 „ G. Yellamanda Reddi.

Neutral 115.

Sri Aiyyanar.
 „ L. Anandan.
 „ T. Anantha Pai.
 „ Anthony Peter.
 „ K. Aranganathan.
 „ Ardhanareswara Gounder.
 „ R. S. Arumugam.
 „ S. R. Arumugam.
 „ V. Arumugam.
 „ V. Balakrishnan.
 „ B. Bhaktavatsalu Naidu.
 „ K. H. Bomman.
 „ M. Chadayan.
 „ P. Chellathurai.
 „ O. Chengam Pillay.
 „ S. Chinnakaruppa Thevar.
 „ V. S. Chinnasami Naidu.
 „ V. Chinnayya.
 „ AR. A. RM. Chokkalingam Chettiar.
 „ V. Darmalinga Nayakar.
 „ M. Dharmalingam.
 „ T. P. Elumalai.
 „ W. J. Fernandez.
 „ Gajapathi Reddy.
 „ T. Ganapathy.
 „ V. Gopala Gounder.
 „ Gopalakrishnaiah Vavilala.
 „ G. Govindan.
 „ K. Ishwara.
 „ M. Jagannathan.
 „ M. Kandasamy Padayachi.
 „ S. Kandaswami Gounder.
 „ V. K. Kannan.
 „ P. G. Karuthiruman.
 „ M. Kattimuthu.
 „ M. K. Kempai Gounder.
 „ G. C. Kondayya.

The Hon. Dr. U. Krishna Rao.

Sri P. S. Krishnasamy Ayyangar.

„ R. Krishnaswami Naidu.

„ Kunhi Muhamed Shafee.

„ R. Kuppaswami.

The Hon. Sri K. P. Kuttikrishnan Nayar

Sri S. Lakshmana Gounder.

„ K. S. Lakshmiapathy Naicker.

„ N. Mahalingam.

The Hon. Sri M. A. Manickavelu Naicker.

Sri P. G. Manickam.

„ M. Marimuthu.

„ Mahamed Salih Marajkayar.

„ N. Mounaguruswamy Naidu.

„ M. S. Munisami Pillay.

„ P. M. Munuswamy Gounder.

„ C. Muthiah Pillai.

„ V. Muthu.

„ M. C. Muthukumaraswamy.

„ A. Muthuswami.

„ B. R. M. Muthu Thevar.

The Hon. Dr. R. Nagan Gouda.

Sri V. R. Nagarjan.

„ P. S. Nalla Gounder.

„ B. K. Nallasamy.

„ G. Narayanasamy Naidu.

„ S. Pakkirisami Pillay.

„ M. Palaniandi.

„ M. Palanimuthu.

The Hon. Sri V. C. Palanisami Gounder.

Sri V. K. Palanisami Gounder.

„ R. S. K. Pandian.

„ B. Parameswaran.

„ S. Parameswarappa.

„ K. Parthasarathy.

„ S. Radakrishnan.

„ E. L. Raghava Mudaliar.

„ D. K. Raju.

„ N. Rajagopal.

„ C. Rajam Ramasami.

„ K. Rajaram.

„ A. Ramachandra Reddiar.

„ N. Ramakrishna Ayyar.

„ K. Ramasamy Doss.

„ S. S. Ramasamy Padayachi.

„ A. Ramasamy Thevar.

„ P. S. Rangasamy Naidu.

„ R. Rangasamy Gounder.

„ N. Rathina Gounder.

„ A. Sambasivam.

„ E. K. Sankara Varma Raja.

„ K. M. Seethi.

„ P. Selvaraj.

„ A. Senapathy Gounder.

The Hon. Sri Shanmuga Sethupathi Raja (Raja of

The Hon. Sri A. B. Shetty.

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Neutral 115—cont.

Sri Sirasappa Ijari.	Sri P. Urkavalan.
„ S. Somayajulu.	„ G. Vagheesam Pillay.
Dr. T. S. Soundaram Ramachandran.	„ A. Vaikuntam.
Sri A. S. Subbaraj.	„ T. R. Varadan.
The Hon. Sri C. Subramaniam.	„ O. Venkatasubba Reddi.
Sri I. K. Subramania Pillay.	„ S. Venkatrama Ayyar.
„ S. P. Thangavelu.	The Hon. Sri K. Venkatswamy Naidu.
„ Thiagaraja Pillay.	Sri M. Venugopala Gounder.
„ S. Thinakarasaami Thevar.	„ K. Vinayakam.
„ P. K. Thirumurthi.	„ S. C. Virupakshiah.
„ K. Uppi.	„ K. R. Viswanatham.

Ayes 52; Noes 84 and Neutral 115.

The amendment was lost.

MR. SPEAKER:—“ Hereafter I will simply ask hon. Members to stand in their places and count their number. I am not going to allow any more divisions. This division has unnecessarily been asked for.

“ We are now on amendment No. 93.”

SRI VAVILALA GOPALAKRISHNAIAH:—“ I do not know what happened to clause 28, Sir.”

MR. SPEAKER:—“ We will come to that afterwards.”

SRI VAVILALA GOPALAKRISHNAIAH:—“ Sir, if clause 28 is accepted *in toto* my amendment need not be here at all. That is my submission. We have not yet passed the first clause, clause 28. That is the most vital clause. Clause 36 is only a consequential clause.”

MR. SPEAKER:—“ I think the hon. Member has given notice of an amendment to clause 28 also. Then let him not move this amendment.”

SRI VAVILALA GOPALAKRISHNAIAH:—“ My amendment is about the date.”

MR. SPEAKER:—“ Let the Hon. the Leader of the House explain what Mr. Gopalakrishnaiah wants.”

THE HON. SRI C. SUBRAMANIAM:—“ Let the hon. Member state whether he is pressing his amendment or not. It is for the Member to say whether he wants to press his amendment or not. If he does not want to press, he need not.”

SRI VAVILALA GOPALAKRISHNAIAH:—“ Sir, you asked the Leader of the House to explain what I wanted. But he said that if I wanted to press the amendment, I might do so. My submission is that clause 36 is subsequent to clause 28. If clause 28 is not passed . . . ”

MR. SPEAKER:—“ We will take up clause 28 afterwards. I will now put the amendment to the vote of the House.”

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* THE HON. SRI C. SUBRAMANIAM:—“ The amendment of 12-10 p.m.
Sri Vavilala Gopalakrishnaiah has nothing to do with clause 28. This clause relates to the seat of the High Court and he is suggesting Guntur for that. It has nothing to do with clause 28 at all.

“ The amendments of Messrs. Vavilala Gopalakrishnaiah (Nos. 93 and 94), T. Lakshminarayana Reddi (No. 95), N. Gopala Menon (No. 96), H. Satyanarayana Dora (No. 97), K. Krishna Rao (No. 101) and K. Venkaiah (No. 102) were, by leave, withdrawn.

“ Now, Sir, we may resume our discussion on clause 28.”

MR. SPEAKER:—“ I have no objection. We shall take up clause 28 now.”

Clause 28.

* SRI P. RAMAMURTHI:—“ Sir, after discussion and consultation among various sections of the House, I move the following amendment to amendment No. 81 given notice of by Messrs. T. N. Venkatasubba Reddi and Ramakrishna Ayyar:—

‘ Add at the end the words “ which shall not be later than June 1, 1954.” ’

“ My amendment seeks to specify the date for the constitution of the Andhra High Court. The amendment as amended will read as follows:—

‘ For sub-clause (2), substitute the following:—

“(2) The President shall, as soon as may be convenient or on the passing of a resolution by the State Assembly of the Andhra State appoint by notification in the Official Gazette a date for the purpose of sub-clause (1), which shall not be later than June 1, 1954.” ’

This is a very simple amendment.

MR. SPEAKER:—“ Is it an agreed amendment? ”

SRI P. RAMAMURTHI:—“ Sir, there is a large measure of agreement, but I am afraid there has not been unanimity.”

* SRI T. N. VENKATASUBBA REDDI:—“ I think it is not advisable to add these words for the reason that if it is found convenient to transfer the High Court by 1st June 1954, it is open to the President or to the Assembly to take immediate steps for the purpose. If we fix the date now, it will add to the already great difficulties of organising a Capital, for we may have to find another town for the establishment of the High Court in a hurry. So, we must not fix a definite date by which time the High Court should move to a new place. There must be some laxity so that the President or the Andhra Assembly may decide the question. I think, therefore, my amendment need not be amended further in the interest of the new State.”

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MR. SPEAKER:—"First I will put the amendment of the Leader of the Opposition to the vote of the House. If it is carried, then I will put the amendment of Sri Venkatasubba Reddi, as amended, to the vote of the House. The question is—

'Add at the end of Sri Venkatasubba Reddi's amendment (No. 81) the words "which shall not be later than June 1, 1954".'

The amendment was put and carried.

MR. SPEAKER:—"I will now put the amendment as amended to the vote of the House. The question is—

'For sub-clause (2), substitute the following:—

"(2) The President shall, as soon as may be convenient or on the passing of a resolution by the State Assembly of the Andhra State appoint by notification in the Official Gazette a date for the purpose of sub-clause (1), which shall not be later than June 1, 1954".'

The amendment, as amended, was put and carried.

The amendments of Messrs. P. Ramamurthi (No. 75), D. Seetharamiah (No. 76), G. Yellamanda Reddi (No. 77), Vavilala Gopalakrishnaiah (No. 78), N. Gopala Menon (No. 79), K. Rajagopala Rao (No. 82), C. R. Ramaswamy (No. 83), D. Seetharamiah (No. 84) K. Venkaiah (No. 85) and M. Veerabhadram (No. 86) were, by leave, withdrawn.

MR. SPEAKER:—"We will now take up clause 38."

Clauses 38 and 41.

The following amendments were moved by the hon. Members in whose names they were standing and duly seconded:—

* THE HON. SRI C. SUBRAMANIAM—

"103 *These clauses should be amended so as to provide that the pending proceedings to be transferred from the Madras High Court to the Andhra High Court/Mysore High Court shall be those specified in lists prepared by the Chief Justice of the Madras High Court and notified by the Chief Justice of India.*"

SRI T. VISWANATHAM—

"104 *This House recommends that clause 38 be amended so as to vest the Andhra High Court with jurisdiction and power to hear and decide all pending proceedings at the stage at which they would be on the date of their transfer from the Madras High Court and that sub-clause (2) of clause 38 be deleted.*"

Sub-clauses (1) and (2).

SRI T. PRAKASAM—

"105 *This House recommends that sub-clauses (1) and (2) be deleted.*"

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Sub-clause (3).

SRI K. VARADACHARI:—

“ 106 Insert the following proviso:—

‘ Provided that in the case of writs or any proceedings of a like nature pending in the High Court of Madras the Chief Justice of Madras and the Chief Justice of Andhra High Court shall decide jointly in which High Court the writ or other proceedings shall be retained or to which Court the same is to be transferred. ’ ”

* SRI T. VISWANATHAM:—“ Sir, my amendment is very simple. It relates to a situation which will arise after the High Court of Andhra is established. According to the provision made in the present Bill, even after the formation of the Andhra High Court, it is expected that appeals and reviews over certain decisions given by the Madras High Court shall continue to remain within the jurisdiction of the Madras High Court. The position, therefore, will be that although we have got for original jurisdiction and some other matters a separate Andhra High Court, still with regard to certain appeals and review petitions, we have to come again to Madras. It is a situation which cannot be contemplated with any sense of satisfaction. If this provision is made, several anomalies will arise and similar questions may be taken up and contradictory judgments given by the Andhra High Court on the one side and the Madras High Court on the other, on points arising in appeals. Therefore, if the appellate jurisdiction is vested in the Madras High Court, any amount of confusion will be created. So, I submit that as soon as the Andhra High Court is formed, all pending proceedings should be transferred to the Andhra High Court and that High Court should be vested with the power of continuing those proceedings from the stage at which they were transferred. Only one difficulty might arise with regard to review petitions. Review is a matter falling within certain clauses of the Civil Procedure Code. When once the Central Government pass this Act and say that all proceedings shall be transferred, the Andhra High Court itself, under the Civil Procedure Code, will get the power of suitably amending the concerned provision to provide for review petitions. Even assuming that the Andhra High Court, under its powers, cannot change the rules with regard to review petitions, still the Government of India who are creating the Andhra High Court for the first time can provide for a suitable amendment of the Civil Procedure Code. The result of it would be this. The procedure, after the formation of the High Court, if my amendment is to be accepted, is that all matters which arise within the territories of the Andhra State and which are within the jurisdiction of the Andhra High Court, will be transferred to the High Court of Andhra, including writ proceedings. There is no difficulty even with regard to writ proceedings. Article 226 would apply to the Andhra High Court also. So writ proceedings also can be transferred to the Andhra High Court. All these can be transferred according to the place of original and cause of action,

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My amendment, stated without technical language, will be to this effect. All proceedings which are pending before the Madras High Court shall be transferred to the Andhra High Court as soon as that High Court is created. Naturally, lists will follow. We have got sufficient time. So arrangements should be made to transfer all cases. There is no reason why appeals and review proceedings should remain with the Madras High Court. It will create a lot of anomaly besides causing considerable inconvenience to the litigants and to those who represent the litigants. To avoid these only, I have moved my amendment."

* THE HON. SRI C. SUBRAMANIAM :—" I would like to have some clarification from the hon. Member Sri Viswanatham. My amendment No. 103 also deals with the transfer of cases. His amendment No. 104 deals with a substantial thing, and it is a little bit vaguely worded. It says 'all pending proceedings' should be transferred. It is not clear whether it refers to proceedings that have arisen in areas within the Andhra territory or all the proceedings pending in the Madras High Court relating to other areas as well. This has to be clarified. Further I would like to know from him if he is agreeable to my amendment which is not excluded by his amendment."

SRI T. VISWANATHAM :—" I am sorry for the omission of a small phrase which has to be added to the effect, 'all pending proceedings in respect of matters arisen within the Andhra territory'. This is what I had in my mind. With your permission. I would like to suggest this verbal addition to my amendment. Surely I never meant that all proceedings pending in the Madras High Court should be transferred. That was not my intention."

* THE HON. SRI C. SUBRAMANIAM :—" There is the other question also. We have to lay down a principle. When we say that all matters relating to, or that have arisen in, the Andhra territory should go over to the Andhra High Court, we have to take into consideration certain factors. There may be a case in which the cause of action may have arisen partly in the Madras territory and partly in the Andhra territory. We have to consider all such border-line cases. Therefore there should be some authority who should finally transfer these cases. That is why I have suggested in my amendment that the Chief Justice of Madras will prepare a list of cases and proceedings which will go to the Andhra High Court and which will be notified by the Chief Justice of India. Thus there will be scrutiny of the list by the Supreme Court also. The Government's intention is that the matter of transfer of these cases should not be made a contentious affair and when the list is scrutinized and notified by the Chief Justice of India, it should be considered as final. If for the purpose of convenient hearing, the parties want a transfer of cases afterwards, it should be on an application for transfer of the case on other grounds and not on the ground that there has been wrongful transfer. That principle should be laid down. That is why I have suggested my amendment so that there may not be some sort of suspense with regard to these

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transfers. If this is accepted, there may not be much difficulty with regard to Mr. Viswanatham's amendment recommending the deletion of sub-clause (2) which relates to appeals from the judgment of High Court, i.e., Letters Patent Appeals, etc. As regards the point whether certain cases which were decided in the Madras High Court, have to be decided by that Court itself in appeal also or whether they should be transferred to the Andhra High Court, I wish to submit that after all, the same High Court is being split up into two. It is not a case of two separate and new High Courts dealing with these cases. The same High Court is being split up and there may not be any technical objection to the Andhra State High Court dealing with Letters Patent Appeal, etc., on the ground that these should be disposed of by the same High Court which dealt with them originally. So I am agreeable to the deletion of this sub-clause."

THE HON. SRI C. RAJAGOPALACHARI:—"I submit that in order to avoid all ambiguity about the matter, these two amendments should be clubbed together and passed as one resolution so that one may not be in conflict with the other."

* SRI T. VISWANATHAM:—"I am thankful to the suggestion made by the Chief Minister. But my trouble is this. The Civil Procedure Code already provides for cases in which the cause of action arises partly in one territory and partly in another. My point is, if the Chief Justice makes a list of cases, it is certainly liable to be questioned by parties. Because, certain decisions are there and certain interpretations have been given even in the Civil Procedure Code with regard to such cases of transfer and jurisdictional matters. That is the reason why I say that the preparation of a list determining the jurisdiction once for all by the Chief Justice is not quite correct. The Chief Justice has got the right to classify certain appeals to be sent over to one Court and certain others to be sent over to other Courts. But, here the position is not the same. Here, we deal with two different territories. If a decision was taken according to the existing law and if there was doubt, then it must be left to the litigants in that particular case to argue out the case. Each case must be decided on its own merits. That is the reason for my amendment. Amendment No. 103, moved the Hon. Minister will cause difficulty which we want to avoid. Each case has got to be decided on its own merits. Therefore, the Hon. Minister's amendment is not acceptable to me."

* THE HON. SRI C. SUBRAMANIAM:—"We have to consider cases where criminal jurisdiction is involved. As far as the Civil Procedure Code is concerned, it is open to the parties concerned to make a motion for transfer of a case for the sake of convenient disposal. We must consider the position with reference to the Criminal Procedure Code. Take a case where a murder is committed in Adoni or an incident takes place in Adoni and the man is brought to Bellary Hospital and he dies there, and

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a case is pending in the Bellary District Court. If that case has to be disposed of how is it to be decided as to where the cause of action arose? Is it to be decided with reference to the place where the incident took place and where the rioting and stabbing took place, viz., Andhra territory or the place where death took place, viz., Bellary? In such cases, if a decision was taken one way or the other it may be open to the parties to argue that the transfer was made wrongly and that the conviction or decision made on that basis will not be binding on them and so it should be reopened. Our intention is to close the matter once for all as far as the transfer of cases is concerned. That is why we say that the list prepared by the Chief Justice of Madras and notified by the Chief Justice of India should be final and no conviction or order or decision passed or taken on transfer of proceedings should be questioned as such. Of course, it is provided in the Civil Procedure Code that cases may be transferred on regular applications praying for transfer on the ground of convenient disposal. We are not superseding this provision on which applications can be made. So far as criminal proceedings are concerned, the position is entirely different. At every stage, people may go to the Supreme Court stating that a particular order was made by a Court which has no jurisdiction as the transfer itself was wrong. In order to avoid all these things, we want to state clearly here itself that the list as prepared by the Chief Justice of Madras and as notified by the Chief Justice of India should be final."

* SRI T. VISWANATHAM :—" There is some confusion. Even in respect of criminal cases, the Supreme Court has got jurisdiction and there will be no difficulty. What I want to stress is this. When we make a departure from the existing practice, further difficulties may arise. In the case of jurisdiction, transfer of cases, etc., it must be left to the parties and litigants to put forward and argue their respective cases. Each case will have to be decided on its own merits. For different sets of facts, a common rule cannot be made. We have been getting on for years and years with regard to cases in which the cause of action arose partly within the jurisdiction of one area and partly within the jurisdiction of another area.

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" I submit, Sir, the matter may be left to the new High Court to deal with as soon as it is formed. Of course, by this statutory, transfer, if any party is affected, it will be open to that party to raise the point of jurisdiction in the Court. As a matter of fact, if the Andhra High Court is not to do it but even before the formation of the Andhra State, the Chief Justice of Madras High Court should decide which cases according to law should be transferred to the Andhra High Court and which should not be transferred, we will be landing ourselves in further difficulty. There is no cross purpose between me and Mr. Subramaniam in our aims. I only submit that Mr. Subramaniam's amendment, if passed, will create more difficulties because it will deviate from the existing provisions of law and practice."

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* THE HON. SRI C. SUBRAMANIAM:—"Suppose we lay down principles on which the allocation of the pending cases should be made. Who is the authority to carry out those orders? It has not been provided in the Bill. Is it Mr. Viswanatham's intention that in each case, an Andhra party should go over to the Madras High Court with a request that his case is one to be decided by the Andhra High Court and so it must be transferred to that Court? Having laid down certain rules, we must decide the authority who should carry out those rules. So, all that we suggest is that the Chief Justice of the Madras High Court should make out a list of cases which would come under the principles laid down by the Government of India in the Andhra State Bill and should send them to the Supreme Court so that the Chief Justice of India may notify those cases. After all, when the Andhra High Court is formed, it should have some work to do. Even before the 'prescribed date' all the work that should go to the Andhra High Court should be decided so that the new High Court may take up all pending cases. Therefore there is no question of the Andhra High Court as such not exercising a function which it should. Even the joint High Court in Madras will have some judges who, though they may remain here for the time being, may have to go to the Andhra High Court when it is formed. Taking all these things into consideration, we have provided that the Chief Justice of Madras High Court will decide the cases subject to the ratification of the Supreme Court."

SRI T. VISWANATHAM:—"The difference is considerably narrowed. My amendment is merely a verbal one which may be incorporated in clause 1 and the Government amendment may be taken up later."

MR. SPEAKER:—"I would suggest that both the amendments be clubbed together."

SRI T. VISWANATHAM:—"Unless mine is put first, the second does not follow."

* THE HON. SRI C. SUBRAMANIAM:—"Having agreed to the principle, we shall draft it properly with the assistance of the officials concerned and we can take it up later."

'The further consideration of the amendment was postponed.'

MR. SPEAKER:—"There are no amendments to clauses 39, 40 and 41."

Clause 42.

* THE HON. SRI C. SUBRAMANIAM:—"Sir I move—

"108 This clause should be amended so as to empower the Governor of Madras to authorize the expenditure in the Andhra and Madras States, for the period beginning with the appointed day and ending with the 31st March

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1954, and to add that the formalities prescribed in Article 205 of the Constitution in connexion with the Supplementary Grants for the financial year 1953-54 shall be sufficient authority for all expenditure incurred during such period."

SRI T. PRAKASAM:—"Sir, I move—

' 109 This House recommends that provision be made to the effect that under clause 42, it is only the person who will be appointed as Governor of Andhra before the appointed day should have authority to authorize withdrawals from the Consolidated Fund of Andhra State for any expenditure considered necessary for that State and also to include another provision enabling or authorizing the Andhra State Legislative Assembly to take a vote on account for the rest of the financial year in respect of the expenditure of Andhra State.' "

The amendment was duly seconded.

SRI E. L. RAGHAVA MUDALIAR:—"Sir, I move—

" 110 In clause 42, omit the words "and the Consolidated Fund of the State of Madras" occurring after the words "State of Andhra" and also omit the words "or the State of Madras, as the case may be." "

The amendment was duly seconded.

MR. SPEAKER:—"All the amendments are before the House for discussion."

* SRI T. VISWANATHAM:—"Sir, Mr. Prakasam's amendment is a very simple one and it does not conflict with the Government amendment, with regard to the period for which the Governor should get the power of withdrawing money from the Consolidated Fund of the State. All that I say is on the day of the formation of the Andhra State, the Governor of Andhra, whoever the person may be, should be able to issue orders. The Governor of Madras need not issue those orders and there can be no difficulty at all in this arrangement.

* SRI M. HANUMANTHA RAO:—"Sir, I oppose the first amendment moved by the Government because it extends the period from three to six months. The Governor of course must have the right to spend money from the Consolidated Fund of the State for a period of three months due to that period being transitional. At the same time, it is not necessary that the period should be extended to six months and I am surprised at Mr. Viswanatham's explanation when he says that he does not mind extension of time. Because I feel that Mr. Prakasam's amendment itself suggests that the Andhra Governor must be empowered to spend for a period of three months only. For the rest of the period, viz., three months, the Andhra Governor will have to take a vote on account

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from the Assembly. I do not have any objection to the Governor of Andhra or the Governor-designate being empowered to withdraw moneys from the Consolidated Fund of the State. That proposal I completely agree to and support heartily. But with regard to the period, I have very serious objection and it must be three months and nothing more.

“ Another point, I wish to refer to, is that the same process is suggested in the Government amendment with regard to Madras State also. I feel, Sir, it is quite unnecessary here. In the transitional stage, there should be provision no doubt for withdrawing moneys only for a period of three months. Why should it be extended? The State is there; the Legislative Assembly is there and it can continuously arrange its sittings to settle these things. That is why it is still more objectionable in the case of Madras to have the period extended to six months. With these words, Sir, I oppose the Government amendment and support Mr. Prakasam's amendment.”

* SRI K. KRISHNA RAO:—“ Mr. Speaker, Sir, I have to oppose Mr. Prakasam's amendment for this reason. Mr. Prakasam wants to invest the would-be-Governor of Andhra with the power of drawing money. That means a Governor who is not assisted by a Council of Ministers, good, bad or indifferent. It also means that the Governor is not responsible to anybody and he can take all the money. At least in the residuary State, there is a Governor assisted by a Council of Ministers, good, bad or indifferent. You have got them. Why do you want to invest a person who is going to be the Governor at a future date with power to draw money? Please don't do it. This is opposed to the very fundamental principles of democracy. With regard to the Government amendment, I do not see any reason why it should go beyond three months. The original thing is all right. There is no point in extending it up to 31st March 1954.”

SRI K. VARADACHARI:—“ Sir, I am sorry to say that the hon. Member Sri K. Krishna Rao is under a misapprehension. Sri Prakasam's amendment seeks to authorize the Governor of the Andhra State to incur expenditure as contemplated in this clause; because, on the appointed day, there will be a Governor for the Andhra State and the moment he takes oath of office, he can also sign the apportionment of expenditure from the Consolidated Fund. Therefore, there is absolutely no difficulty for the Governor of the Andhra State functioning in this matter. The apprehension of the hon. Member Sri Krishna Rao appears to be that no one will be appointed as Governor for some time. It is not so. The Governor will be appointed on or before 1st October and he will take the oath of office and at the same time he will begin sanctioning expenditure. Therefore, there is no difficulty about it and the hon. Member Mr. Prakasam need not be confronted with the difficulty pointed out by Mr. Krishna Rao.”

* SRI V. R. NAGARAJAN:—“ Sir, the original clause 42 speaks of only three months, whereas the amendment now sought

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to be moved by the Hon. Finance Minister asks for a further period to be given to the Governor to deal with the finances of the States until 31st March 1954. I submit, Sir, whether it is one Governor that is going to deal with both the Provinces or whether there will be another Governor, that cannot be a very important matter in this connexion. On any account, time should not be given for more than three months, because the effect of granting this time will be that the Legislature will not be sitting until 31st March 1954. It would be nullifying the good work that this or the other Legislature may do, and we may not be called upon to deal with the finances of the State for the rest of the year. So it is very necessary that the time asked for should never be until 31st March 1954, but it should cease by 31st December 1953. That is my submission, Sir."

SRI E. L. RAGHAVA MUDALIAR:—"Sir, I feel that by this Bill, the rights of the residuary Madras Legislature should not be affected. So far as the new Andhra State is concerned, it is but meet that such a provision should be there. I do not understand why such a provision should be made for the residuary State at all. I think that if the amendment of the Hon. Finance Minister is accepted, the Legislature will be abdicating its functions and it will be a negation of the very democracy itself. Of course, there may be some technical difficulty. If the Assembly of the Residuary State cannot meet before the appointed day, they could meet on the appointed day or on the subsequent day, and it can vote on account and discuss. Therefore, I submit that all reference to the State of Madras and to the Consolidated Fund of the Madras in clause 42 shall be omitted."

* **SRI VAVILALA GOPALAKRISHNAIAH:**—"Sir, I stand here to oppose the amendment of the Hon. Sri Subramaniam and to support the hon. Member Mr. Prakasam's amendment. Sir, the Hon. Mr. Subramaniam's amendment negatives the whole thing and leaves the appropriation of the amounts into the hands of the Madras Governor, not only for three months, but for the whole of the remaining year, i.e., six months. My submission is this. The amendment of Mr. Prakasam states that it must be left to the Governor of the Andhra. But it must be left in the hands of the Andhra Governor and it should be only for three months and the Governor should be asked to face the Assembly and ask the Assembly for the power to withdraw from the Consolidated Fund. Though the spirit of clause 42 as it stands is good, they have authorized the Madras Governor to withdraw funds. When two parties are there and when the division is going on, naturally there will be some misunderstandings. As Mr. Krishna Rao said, at least there is a Cabinet in the composite State. There won't be an Andhra Ministry on the formation of the Andhra State. So the whole allotment may be more unfavourable to Andhra.

"Sir, the Central Government have appointed a Special Officer and he may be appointed as the Governor on the 1st October or even before. Before that, he must be authorized to withdraw or incur expenditure from the Consolidated Fund. When the

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Governor appointed for the Andhra State takes up his office, the Consolidated Fund has to be divided, as the Consolidated Fund of the Andhra State and the Consolidated Fund of the residuary Madras State. So I request this House and Parliament to take that aspect into consideration. We know there is every doubt that there may not be any Ministry in the Andhra State immediately. We are afraid that there will be Governor's rule. Of course, we do not wish it. As a matter of fact we wish it should be a democratic State and the Assembly should be functioning. Now we see day-to-day changes and day-to-day manœuvres in politics; something may happen, I can only say it will be '*politricks*'; some tricks will happen and that is why I say the Andhra State Governor should be authorized to allot funds for three months. If he cannot then convene the Assembly and get funds sanctioned, the President may decide on the next step. But as things stand now, let the Andhra Governor have three months only for expending sums. It should be the Andhra Governor and not the Madras Governor. That is my submission, Sir."

SRI PILLALAMARRI VENKATESWARLU:—"Sir, I hope there will be no objection either to the Hon. Sri Rajagopalachari or the Hon. Sri Subramaniam to leave matters to the Andhra State, the Andhra Governor and the Andhra Cabinet. But unfortunately, both in the Bill as well as in the amendment suggested the Hon. the Finance Minister seeks to vest powers in the Madras Governor . . ."

THE HON. SRI C. SUBRAMANIAM:—"It is because of some legal difficulties."

SRI PILLALAMARRI VENKATESWARLU:—"Sir, the principle of authorizing the Madras Governor to spend for the Andhra State from the Consolidated Fund is in itself wrong. If there is any legal difficulty, the Hon. Sri Subramaniam may set it right in a legal way and in a legal manner and if necessary, the Constitution may also be amended. In this connexion, I submit that the Central Government, as we are given to understand, are thinking of forming a number of new States on linguistic basis, by amending the Constitution itself, if need be. They will be making provision for the Governors of these new States to spend from the Consolidated Fund of the previous composite State. I therefore feel that there is no need to empower the Governor of Madras to authorize the expenditure in the Andhra State from 1st October 1953 till 31st March 1954. I also want clarification from the Hon. Finance Minister Sri C. Subramaniam why in the Madras State also they want the Governor to authorize the expenditure. We would like to understand the principles so that if they are good we can carry them to the Andhra State. I would like to know what is it that is uppermost in their minds in empowering the Governor to authorize the expenditure in the Madras State instead of convening the Assembly and passing the budget. After all there is no fear that there won't be a Cabinet in Madras. If it is in the mind of the Hon. Sri C. Subramaniam

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that there may not be a Cabinet even in Madras after the separation of Andhra, there is no ground for it. I do not wish that it should happen, and I wish that the Hon. Sri C. Rajagopalachari and the Hon. Sri C. Subramaniam and others should represent the Government in Madras, and Sri Sanjeeva Reddi in Andhra, instead of having Governor's rule. Therefore, the provision regarding Madras may be deleted and as far as the Andhra affairs are concerned, they may be left to the Andhra Assembly. I support the amendment moved by Sri T. Prakasam and hope there may not be any occasion for the Governor to authorize expenditure for more than three months. Even before that there may be a Cabinet for the Andhra State also, and they will take a vote on account for the rest of the financial year. As regards the fears expressed by Sri K. Krishna Rao, I would like to point out that it is no good to allow the affairs of Andhra State to the Governor of another State, however efficient that Governor or that Cabinet may be. It is a question of principle. We want that the Governor of Andhra should be empowered to authorize the expenditure. With these few words, Sir, I support the amendment moved by Sri T. Prakasam and oppose the amendment moved by the Hon Sri C. Subramaniam on behalf of the Government."

* THE HON. SRI C. RAJAGOPALACHARI:—"Mr. Speaker, I am rising only to make a few observations explaining why this clause is included in the Bill at all and that will make the position clear. I am very grateful to Sri K. Krishna Rao for what he said because it is just what I wanted to point out. He made it clear that it would be absurd to authorize a person whom we call Governor-Designate or Special Officer, with the power of spending out of the Consolidated Fund. According to Mr. Vavilala Gopalakrishnaiah the bag is there. But the question is who is to authorize expenditure. That is the problem that has arisen now with reference to the transition period. Now, Sir, we have already passed a vote on account which will cover expenditure up to 30th September 1953 and we cannot spend a pie on the morning of 1st October. Hon. Members are confusing this matter with the formation of a Cabinet either with A or B. We need not worry about that and that has nothing to do with reference to the problem we have now. The question of constitutional procedure, i.e., authorization of expenditure up to 30th September 1953, we have authorized already. There is no question that arises now on that account. But we have to decide for expenditure from the 1st of October onwards. No one can operate without proper sanction after that date. We have to pay officers, we have to pay for buildings, for the convening of the Assembly, for the Governor himself, etc. Everything has to be paid for. We must have therefore a legal sanction to cover expenditure from the 1st of October onwards. Now, the Government of India have drafted this Bill providing only for the first three months from the 1st of October. We must make a previous provision, and the previous provision for expenditure can only be done through a constituted Government and this Government is in position now. The residuary State of

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Madras is in position with a Governor, Ministry, Assembly, and all that. So, this authorized expenditure for the first three months for the present composite State of Madras, i.e., Governor, Assembly and all the rest, is already provided for by a statutory provision. The minimum has been provided for, viz., for three months. Now, our proposal is that this House should recommend a provision to cover six months because it would be a difficult thing even more in the Andhra State than even in the residuary Madras State, to prepare another budget now within the next three months to cover a period immediately following the three-month period provided for. So we suggested six months. Whether it should be three months or six months or whether it should be for three months in the Andhra State and for six months in the Madras State or six months in the Andhra State and three months in the Madras State, that is a matter for difference of opinion. But so far as the first limited period of three months goes, there should not be any misunderstanding. It is absolutely necessary. So the provision in the draft Bill should stand at least as far as it has been provided for. The only question is whether it should be extended to six months.

"There is another point that must be made clear. If any expenditure is to be incurred in Andhra even for this temporary period, the Government of Madras is not going to be so stupid as to authorize the expenditure without any consultation with the officer who is to deal as Governor later on in the Andhra State. But it cannot be put in the Statute or in the Constitution. These consultations will certainly take place and as soon as the Legislative Assembly of Andhra comes into being, they can alter anything; they can cancel everything and pass a new vote on account. It is absolutely necessary that we make some previous provision. When we decided to accept the original provision in clause 42 providing for a three-month period, the Andhra members felt that even in the three months they might not be able to prepare a budget, put it before the Legislative Assembly and get it through, and that the period might be six months. If they want to try they can try."

* SRI T. VISWANATHAM :—"I did not say that on the 1st of October itself the Governor of the new State should authorize the expenditure. There would be some difficulty. That is why I say that the provision in regard to the Consolidated Fund is absolutely necessary. The question is, who should sign? The expenditure is for the Andhra State and therefore the Governor of Andhra should sign. When he will sign is the question posed by the Hon. Chief Minister. Surely, he will sign on the day he takes the oath of office. Suppose there is a minor. The power of the major guardian lapses on the day the minor attains majority and he can sign for himself then. He can take the oath of office on the 1st of October and can sign the first order."

* THE HON. SRI C. RAJAGOPALACHARI :—"Is it the 1 p.m. opinion of Sri Viswanatham, in view of the present position he has

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taken that after the new Government is formed and Governor is in a position to sanction the expenditure that he should sign the sanction formally or is it his contention, as put down in the amendment proposed by Sri. Prakasam that even *before* the Special Officer is made Governor, *he* should sign any expenditure for Andhra and not anyone else? That is where I have got to object. We cannot stipulate that any expenditure in respect of Andhra should be signed by the Governor or the Governor-designate before the appointed day. For instance, suppose we have got some initial expenditure to be incurred in Kurnool for some purpose, are we to act on the Special Officer's sanction alone? Apart from the fact that we had written to New Delhi that the Special Officer should come here as soon as possible to expedite some initial urgent business, what I should like to submit is, that a stipulation that he alone should sign the expenditure in respect of Andhra and none else is not correct. Of course the Special Officer may arrive in time or somewhat earlier. That is a matter for executive arrangement. No doubt he will acquaint himself with all relevant matters in respect of Andhra. As a matter of fact without his knowledge and approval we could not authorize any expenditure in respect of Andhra *after* the appointed day. Therefore the best that could be done is, to meet the wishes of the Opposition also to let him countersign the expenditure authorized on behalf of Andhra by the Governor of Madras for a period of three months from the appointed day."

* SRI T. VISWANATHAM:—"The meaning of Mr. Prakasam's amendment does not concern the particular person that is going to be appointed as the Andhra Governor. In fact the Governor-Designate is as new to us as the Madras Governor. But what I say is, when he is appointed as the Governor of the Andhra State and as soon as he takes the oath of office, he alone should sanction the expenditure in respect of his (Andhra) State and not the Governor of an alien State, I mean, Madras."

* THE HON SRI C. SUBRAMANIAM:—"I will explain the position, Sir. Already we have provided for some initial exigencies. It is not as if either the Madras Governor or the Andhra Governor authorizes the expenditure of a block grant like Rs. 2 crores or Rs. 3 crores. In any case, some sort of budget will have to be prepared both for the residuary State and for the Andhra State which should become operative from October 1st. On the basis of the budget, expenditure would have to be sanctioned by the Madras and Andhra Governments. The Andhra State which will come into existence on the 1st of October cannot be expected to present its budget at once. So some sort of provisional budget for Andhra for a limited period (say three months) will have to be prepared by us. That is why the Government of India had made the provision that for three months beginning from 1st October 1953, the Governor of Madras shall have the power to authorize expenditure from the Consolidated Fund in respect of both Andhra and Madras. It is not as if the Centre had not taken note of all the relevant matters connected with this particular clause. In fact

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so far as this clause was concerned it was they who had suggested that this procedure be followed. We had nothing to do with that. After all, let not hon. Members think, preparation of the budget can be done so easily. We have got to prepare a budget for the State as a whole, let it be Andhra or Madras. Each Government will have to scrutinize carefully the probable expenditure under each head and prepare the budget. In view of the practical difficulties involved in asking the Andhra Government to prepare the budget immediately, this authorization of expenditure for the Andhra State from the Consolidated Fund had been done and the period too had been limited to three months.

“ It is now contended that the expenditure in respect of Andhra could be authorized only by its own Governor from the appointed day and some say it should be done only by the Andhra Governor even before the appointed day. As we all know under the Constitution, the Governor is only the constitutional head. He has to act only on the advice of the Council of Ministers. He cannot sanction the expenditure straightway without being advised by his Council of Ministers. For the Ministry to begin to function it will take some time. There is bound to be a vacuum in the meantime when no expenditure, not a pie, could be spent. Only to avoid the vacuum which prevents any expenditure being incurred from 1st of October 1953 till the Legislature meets and the budget is presented, the Government of India after careful consideration of all practical difficulties involved in the matter, decided that the present procedure be followed. What is it that we suggest now? After all as hon. Members know we had passed through a Budget session (of course only a vote on account was taken for a six-month period).

“ So far as the residuary State is concerned a provisional Budget will have to be presented for the remaining part of the year. That may be some time in November or so. The Finance Department would be working out the details for the full-fledged Budget for 1954-55 right from October of this year itself. Therefore if another Budget were to be presented in November 1953 for covering the period till 1st April 1954, then that amounts to saddling the Secretariat with too much work. Let me not be mistaken as though we shirk our responsibility. So far as this is concerned I leave the choice to the Leader of the Opposition. I have explained the practical difficulties involved in the matter. If he is of the opinion that we have got to meet for a Budget session some time in November or so for passing the Budget for the remaining part of the financial year 1953-54 and then again meet in February or March 1954 for passing the full budget for 1954-55, I have no objection. I am agreeable to the reduction of the six-month period to three months in respect of the Residuary State, as is put in the clause.

“ The case of Andhra is different. As I had already explained some sort of provisional budget will have to be prepared for them by us to cover some initial months beginning from the appointed day. In view of its impracticability, the power to sanction the

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expenditure for three months from 1st October 1953 has been vested in the Governor. Let not hon. Members imagine that the power of the Andhra Legislature to sanction their own expenditure had been taken away. In fact it has not been done so. All these things could be discussed threadbare when the 'Demands for Supplementary Grants' come up before the Andhra Legislature. As a matter of fact the Andhra Government have got to come before the Andhra Legislature, under the Constitution, for ratification. Only in view of the practical difficulties involved in presenting an interim budget for three months by the Government of Andhra so soon after their commencement of office, I had moved that the present stipulation of three months' expenditure being sanctioned for the Andhra State by the Madras Governor be extended to six months. Hon. Members on an impartial consideration of administrative difficulties will never fail to see the reasonableness behind the Government amendment. After all, Sir, no new scheme is going to be started by either the Andhra or the Madras State during the interim period. They would be only pursuing their existing schemes. It is nothing short of impossibility for them to have two Budget sessions and that too within three months after the inauguration of the new State. As far as the Residuary State is concerned, I had already explained. I leave the choice to the Leader of the Opposition regarding the same.

1-10 P.M. "With regard to Sri Prakasam's amendment that they should go before the Legislative Assembly for a vote on account, it is for them to decide. But regarding the first part of the amendment that the Governor should have authority to authorize withdrawal will, I am sure, lead to practical difficulties and to all sorts of legal hurdles, and however much Sri Viswanatham may be clear in his mind about the whole position, constitutional difficulties cannot be overcome, and that is why the Government of India after a very careful consideration have made such a recommendation."

* SRI T. VISWANATHAM :—"Mr. Speaker, Sir, let me assure the Leader of the House that I was not so very forgetful when I was making the suggestion that it is the Governor of Andhra that must sign the order. I know we cannot create any vacuum. I know that the Secretariat of the composite State will prepare a statement of expenditure and revenue for the purpose and I assume that they will do it, and I also assume that I am not creating a vacuum by the proposals I have made, because the present Ministry is bound to do it; but the point is that the Governor of Madras cannot sign an order for the Andhra State. If at all the President in his superior power may get powers reserved to himself for the purpose. It is only the Governor of the State concerned that can sign. I submit that on the 1st October or prior to that the Madras Governor will not be the Governor of Andhra and I feel that instead of avoiding legal troubles, we will be getting into more troubles."

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THE HON. SRI C. RAJAGOPALACHARI:—"If, Sir, that is the point, it may be provided that on the 1st October, the Governor of Andhra shall countersign the order and he is bound to do so."

* SRI T. VISWANATHAM:—"The point is that the details will be there and the Finance Department can put it up before him on the 1st of October."

THE HON. SRI C. SUBRAMANIAM:—"But how is he to act without the advice of his Ministers and when will the Ministers come into existence?"

* SRI T. VISWANATHAM:—"It is an overriding executive power which the Governor is vested with for authorizing such withdrawal from the Consolidated Fund; it is on the advice of the present Secretariat and the present Ministry."

THE HON. SRI C. SUBRAMANIAM:—"How can we advise your Governor?"

* SRI T. VISWANATHAM:—"There is no use parrying the issues in that manner. As a matter of fact, the present Government have taken a very great interest in framing the provisions of the Bill from top to bottom without the knowledge and without consulting the Andhra Members who are outsiders so far as the Bill is concerned; they are doing that and it follows that they should do the rest of it also."

*THE HON. SRI C. SUBRAMANIAM:—"I am afraid that I shall have to answer the insinuation that has been made by the hon. Member. Let me tell him that we had nothing to do with the framing of clause 42; it was, as a matter of fact, sent to us now for the first time, and it was why we have made a suggestion in that regard. I wish to assure him that we had no hand in it."

*SRI T. VISWANATHAM:—"Whether they had any voice or not with regard to this clause, it is a fact known to all hon. Members that the Government of India were consulting this Government and the newspapers contained daily reports about it and they were stating that the Ministry were considering it clause by clause. In so far as you did it, I submit we will not grudge your doing it further. The question as to where is the Government and who is the Governor and whom is he going to consult is all irrelevant because we are taking it for granted that you who have taken so much responsibility in the matter should at the time of the division continue the work until the Governor of Andhra signs the order, but the Governor of Madras cannot, I submit, sign for the Andhra State. To us one gentleman is as new as the other. It is merely a constitutional point that even if the Madras Governor signs prior to the appointed day, it cannot apply to the new State. If the Andhra Governor cannot sign before taking office, he will sign on the 1st of October. My whole point is how can the Governor of Madras sign for the Andhra State?"

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THE HON. SRI C. SUBRAMANIAM:—"That is why the Parliament is giving such a power."

* SRI T. VISWANATHAM:—"My point is that such a power should not be given. It should not give power to the Governor of one State to sign the order for another State. That is why it has been suggested that reasonable provisions should be made enabling the Governor to sign the order. So far as I am concerned, I am quite prepared for the order in respect of three months but our amendment is slightly different because we want the State Assembly to meet and then take a vote on account. It may be a full-fledged budget or a vote on account. In my humble opinion a full-fledged budget will be impossible. The Assembly will meet, hear opinions and take advice of the Members of the Legislature, take into consideration the various viewpoints and act. There is no question of vacuum here because Sri Prakasam's amendment provides that the Assembly should take a vote on account for the rest of the year; the amendment is not saying that we should wait for six months because we meet and dispose of the budget."

THE HON. SRI C. RAJAGOPALACHARI:—"If that is the point, I suggest the amendment should be framed properly."

* SRI T. VISWANATHAM:—"I am sorry, Sir, that mine is not an amendment. It only says 'provision should be made enabling . . .'. The object is there and I have left the question of bringing out the object and of framing it to expert hands. I have not said that provision 'shall be made . . .' because the employment of suitable language is the monopoly of the Government experts."

SRI P. RAMAMURTHI:—"On the question, Sir, whether it should be three or six months, we should agree not to extend the time-limit and therefore, I suggest that we stick to the original three months provided in the original Bill."

* THE HON. SRI C. SUBRAMANIAM:—"Sri Viswanatham wants only three months' sanction for the Andhra State and the Leader of the Opposition also thinks that a like thing will do for us. So, as far as the Residuary State is concerned, I propose that my amendment may be permitted to be withdrawn."

MR. SPEAKER:—"With reference to Amendment 109, what is the position?"

* THE HON. SRI C. SUBRAMANIAM:—"It relates to the Andhra State and if they think there will not be any vacuum, I have nothing to say about it. The Legal Department of the Government of India will further scrutinize it in view of the objections and I am sure that whatever is reasonably possible will be done."

"The view has also been expressed that it is derogatory to the Andhra State that the Madras Governor should sign the order. The Government of India may be informed about it and they will scrutinize and if possible change the formula to the effect that the

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Governor of Madras should not sign and somebody else; it may be the President should sign. In any event, it should not be the Governor of Madras. That seems to be the view."

The amendment of the Hon. Sri C. Subramaniam (No. 108) was, by leave, withdrawn.

MR. SPEAKER:—"With reference to Amendment No. 109, is the hon. Member removing the words 'before the appointed day?' "

* SRI T. VISWANATHAM:—"I wish to submit, Sir, that it is not as if I have suggested an amendment to a clause or anything of that nature. I have merely made a suggestion that the person who is going to be nominated as the Governor before the appointed day, it is he that should have the power of signing it on the 1st October. That is the recommendation that has been proposed. Apart from the question of derogation, I feel that, under the Constitution, the Governor of one State cannot authorize expenditure in another State."

* THE HON. SRI C. RAJAGOPALACHARI:—"Let me make one more attempt to explain to Sri Viswanatham that we are unnecessarily making too much of a small matter. Everybody agrees that the matter should be thrashed out by the present Government before the 1st October; the present Government and the present Ministry will have to go into them, the present Government includes representatives of Andhras, good, bad and indifferent—just as is the case regarding representatives of the Residuary State also. It is a common Government. Regarding this item No. 109 whether it is called a resolution or an expression of opinion it is so worded that it gives rise to the possible construction, I think a very reasonable construction, that it proposes to authorize the Governor-designate to operate on the Consolidated Fund. I think it is not proper. Let us, therefore, withdraw both items 108 and 109. I can give the assurance on behalf of the Government that we will represent to the Government of India that objection has been taken in the House that the authorization of expenditure after 1st October should technically and properly be signed by the new Governor when he is in office and not by the Governor of Madras and this may be taken into consideration by them and the Bill properly drafted."

The amendment of Sri T. Prakasam (No. 109) was, by leave, withdrawn.

Amendment No. 110 standing in the name of Sri E. L. Raghava Mudaliar was, by leave, withdrawn.

Clauses 43 to 45.

MR. SPEAKER:—"There are no amendments to these 1-20 clauses." p.m.

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Clause 46.

THE HON. SRI C. SUBRAMANIAM:—"As a matter of fact, the amendments to clause 46 and the Seventh Schedule overlap each other. We can come to them at the end and shall get on with the other clauses."

MR. SPEAKER:—"As requested by the Leader of the House, we shall take up clause 46 and the Seventh Schedule at the end."

Clause 47.

* THE HON SRI C. SUBRAMANIAM:—"I move the following amendment:—

'Sub-clause (1) should be amended so as to provide that, if the contract is for purposes unconnected with the Residuary State, but is partly for purposes connected with the Andhra State/Mysore State or both those States and for the purposes of a State other than the States of Andhra, Mysore and Madras, it shall be deemed to have been made in the exercise of the executive power of the Andhra State/Mysore State or of the Andhra State respectively.'"

SRI T. VISWANATHAM:—"May I suggest that as this is a long Chapter dealing with contracts and assets and liabilities, we can take it up to-morrow."

MR. SPEAKER:—"I agree. The House will now adjourn and reassemble at 4 p.m. to-day to discuss the adjournment motion."

(After lunch—4 p.m.)

II.—ADJOURNMENT MOTIONS—cont.

(4) POLICE FIRING IN TUTICORIN AND DALMIAPURAM.

MR. SPEAKER:—"The motion reads as follows:—

'That the business of the House be adjourned to discuss a definite matter of urgent public importance, viz., Police firing on the 15th July 1953 in a number of places in the State such as Tuticorin and Dalmiapuram, resulting in the death of nine innocent persons and serious injuries to many.'"

SRI S. S. KOLKEBAIL:—"I rise on a point of Order, Sir. I am supporting the motion. But after the resolution was moved in the House, a Committee is enquiring into the matter. So the matter is *sub judice*."

MR. SPEAKER:—"Only when the matter is before the Court, it is *sub judice*. This is merely an enquiry. The Committee is not going to give a judgment. So the matter is not *sub judice*."

* SRI P. RANGASWAMI REDDIAR:—"Mr. Speaker, Sir, on the 15th July 1953, the Police opened fire near Tuticorin and at

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Dalmiapuram against the volunteers and sympathizers of the Dravidian Progressive Federation. Long before the 15th July, that is, towards the end of May 1953, the Dravidian Progressive Federation held a conference at Lalgudi and passed a resolution to the effect that immediately or within a reasonable time the name of Dalmiapuram should be changed into Kallakudi which is the original Tamil name. They also passed a resolution to the effect that as a token protest against the remark made by the Hon. the Prime Minister of India characterizing the movement at Tiruttani regarding the boundary question by the Tamilians as 'non-sense', they should do some agitation and stop all the trains so that the Prime Minister may feel that the South Indians resented his remark. Naturally, the Government ought to have known these two resolutions long before the agitation actually started. Since the Dravidian Progressive Federation did not receive any reply and the Government did not take any steps to change the name of Dalmiapuram into Kallakudi, they wanted to demonstrate and agitate over these two issues. From the newspaper reports and also from the statement of the Hon. the Chief Minister made on the floor of this House on the 16th instant, we understand that there was absolutely no necessity for opening fire. The only reason given by the Hon. Chief Minister was that in the afternoon there was a very big crowd, that the situation was unmanageable and that therefore the Police had to open fire. Even though the Hon. the Chief Minister said that he was glad for having received the report as early as possible (before making the statement), he did not give any reason as to how the mob was infuriated in the afternoon. He simply said that the mob was rather infuriated, that the situation was becoming uncontrollable and that therefore the Police had to open fire. That is all what I find from the newspaper reports regarding the statement made by the Hon. the Chief Minister on the floor of this House. How all of a sudden on the afternoon of 15th July 1953, the mob became infuriated and became unmanageable is a thing to be considered by the hon. Members of this House. So far as my enquiries go, what happened was this: 'In the morning a batch of some volunteers entered into the premises of the Dalmiapuram Railway station and pasted a paper containing the name Kallakudi against the name Dalmiapuram in the sign-board and then some laid on the track in order to stop the train. The volunteers were arrested and removed by the Police. Similarly, another batch entered and did the same thing. The Police arrested and removed the second batch also. When the third batch entered the premises led by one Kannadasan, a member of the Dravidian Progressive Federation, the Police did not adopt the same method but began to beat him indiscriminately and also broke one of his hands. The mob seeing this violent attitude on the part of the Police protested and shouted that the Police should not indulge in such brutal acts. The Police did not care for the protest of the public and they continued their acts. The mob tried to enter the premises and on seeing the mob the Police wrongly imagined that there would be violence and disorder. They opened fire indiscriminately. Sixty-four rounds were fired with the result that innocent passengers sleeping in the

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third-class compartments in the upper berth (I may call the luggage carrier "the poor man's berth"), that is the place intended for keeping the luggage, were shot dead, and another passenger sitting within the compartment was also shot dead.' The Police had no business to resort to firing in such an indiscriminate fashion. Many people were injured and two or three persons died on the spot. Some died in the hospital later. These are the circumstances under which the Police opened fire and I have to submit to this House that the reason given by the Hon. the Chief Minister on the 16th that the crowd entered the premises in large groups, that the situation was becoming unmanageable and that therefore the Police had to open fire is not true.

"Now, with regard to the Tuticorin affair, it was a token protest both in Tuticorin and other places against the remark of the Prime Minister of India, which I have already mentioned, characterizing the Tamilian movement in Tiruttani as 'non-sense.' The members of the Federation wanted to stop the trains so that the Hon. the Prime Minister of India may know the agitation in the South. The demonstrations were organized by the Dravidan Progressive Federation and were held in a peaceful manner. I may submit in this connexion that in our State the total population is 5 crores and 70 lakhs. There are only two movements, the Dravidian Progressive Federation and the Dravida Kazhakam to promote the interests and welfare of the Dravidians. If the name of a Northerner is sought to be perpetuated in the heart of Tamil Nad simply because he has invested some capital here to run a business, it would be a shame for the Tamilians and nobody can tolerate such a thing. It is but just and proper that the station should be renamed as Kallakudi and it is equally just and proper for the Tamilians in Tiruttani to agitate the question of boundary in Chittoor district. After all, both the Andhras and the Tamils have equal rights to safeguard their respective boundaries and in order to show their protest the Tamilians started an agitation. That agitation cannot be easily characterized as 'non-sense'. The volunteers of the Federation wanted to take the lead and expressed their protest in an effective manner. Throughout the State they organized demonstrations in as peaceful a manner as possible as was done before by members of other parties during similar agitations. Now, the Hon. the Chief Minister said on the 16th that these matters cannot be prejudged, that he has appointed a Committee to enquire into these matters in detail and that it was not proper for us to discuss them on the floor of this House. So to say, the Hon. the Chief Minister has already given a verdict on this matter. I will just read one sentence from the statement made by the Hon. the Chief Minister on the 16th—

'But at present, I submit that any action such as the one proposed would be prejudging the action of the Police officials who are undergoing a great amount of risk and who are doing their work bravely, promptly, properly and courageously under difficult conditions.'

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"If this is the attitude of the Hon. Chief Minister, there cannot be any surprise about the result of the enquiry that is going on for the past two days. How can it be said that the Police and other officials are doing their work bravely and properly? As I

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have already said in the beginning, there was sufficient notice to the Government long before the agitation. I understand reliably that the district officials were not there on the spot. The district officials and the Government ought to have known that large crowds are likely to gather in such circumstances. If the officials apprehended any serious occurrence, they ought to have allowed only the volunteers to enter the premises of the Dalmiapuram Railway Station and effectively prevented the public from entering the premises. On the other hand, they allowed the crowd and the volunteers to enter the premises. When the Police indulged in unnecessarily beating one of the leaders and a protest came from the public, the Police resorted to opening fire. The entire blame for not taking proper steps in advance to prevent such unfortunate incidents and unpopular acts rests with the Government. We understand from reports and enquiries that the opening of fire by the Police in Dalmiapuram on the 15th July was a wanton act. Somehow or other they wanted to open fire with cause or without cause and put the blame on somebody else. It is an unfortunate thing. Ordinarily people may not even resort to travel by train hereafter, because innocent passengers are shot like that. Such unpopular acts are not justified. Our Government in the Centre as well as in the State seem to think that once they come into power, they have no use for the people. The people look upon such an attitude with resentment. When a major organization like the Dravidian Progressive Federation makes a representation on behalf of the people to the Government, it is for the Government to investigate the question, scrutinise the just aspirations and do the needful. If they fail to do so, people resort to peaceful demonstrations to draw the attention of the Government and get redress for their grievances from them. The whole question has to be investigated. As was pointed out by the Leader of the Opposition on the 16th July, an enquiry by a committee consisting of the Personal Assistant to the District Magistrate, Tiruchirappalli, and the Principal Subordinate Judge of Tiruchirappalli will not infuse confidence in the public. This is an important question affecting the people of this State, and a committee enquiring into it should consist of non-officials and the enquiry should be an open enquiry. Otherwise people will lose confidence and the enquiry will be a mockery."

*SRI A. GOVINDASAMI NAYAGAR :—“கனம் சபாநாயகர் அவர்களே, டால்மியாபுரத்திலும், தூத்துக்குடியிலும் மக்கள் சுட்டுக்கொல்லப்பட்ட நிகழ்க்கி சம்பந்தமாக விவாதத்திற்கு வந்திருக்கிற அவசரப் பிரேரணையின் மீது பேசுகின்றபோது என் நெஞ்சம் குமுறுகிறது. மக்களின் உயிர்களைத் திரணமாக மதித்து, நாய்களைப் போல மக்கள் சுட்டுக்கொல்லப்பட்டு தெருவில் இழுத்தெறியப்படும் இந்த ராமராஜ்யத்தில் மனதிற்கு மிகவும் வேதனையைத் தரக்கூடிய இப்படிப்பட்ட செய்கையைத் தவிர வேறு எதையும் நாம் காணமுடியாது தான். வெள்ளைக்காரர்கள் தான் கொடுமை மிக்கவர்கள் என்று எண்ணினோம். அன்று வெறிபிடித்த டயர் தன் துப்பாக்கியில் ரவை இருக்கும் வரையிலும் சுட்டுத் தீர்த்தான் என்ற செய்தியை நாம் கேட்டிருக்கின்றோம். ஆனால் அன்றும் கூட டால்மியாபுரத்தில் சுட்டதைப் போல அறுபத்து நான்கு ரவுண்டுகள் சுட்டான் என்று கிடையாது. இந்த காரணம், அவரிடம் மூர்த்திகளேர் சாத்வீகத்தில் தனக்கு நம்பிக்கை இருப்பதாக சொல்லிக்கொள்ளும் இந்த ராமராஜ்ய ஆட்சியாளர்களோ நிரா

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யுதபாணியான கூட்டத்தின் மீது 64 ரவுண்டுகள் சுட்டிருக்கிறார்கள். ஈவு இருக்கமுள்ளவர்கள் என்று சொல்லிக்கொள்ளுபவர்களின் உடல், உள்ளம் எல்லாம் இதைக் கேட்டுச் சிலிர்த்துவிடவேயாயென்று நான் கேட்கிறேன்?

“ஜூலை மீ 15-ம்தேதி தான் இந்த சர்க்காருக்கு சாவு மணி அடித்த நாள். இந்தச் சர்க்கார் அஸ்தமனம் அடையப்போகிறது என்பதை குறிக்கும் வெடிமுண்டு ஒலித்த நாள். இந்த அரசாங்கத்தின் வரலாற்றில் ரத்தக்கறை படிந்த நாளாகும். திராவிடரை மிகவும் அவமானப்படுத்தக் கூடிய வகையில் இந்தியப் பிரதம மந்திரி வில்லி என்று, நான்சென்ஸ் என்றும் சொல்லி வருவதைக் கண்டிக்கும் முறையில் ரயில் நிறுத்தம் செய்ய தி. மு. க. திட்டமிட்டிருந்தது சர்க்காருக்குத் தெரியும். ரயில் நிறுத்த திட்டத்திற்கும், ஆரம்பக் கல்வித் திட்டத்திற்கும் ஏதோ சம்பந்த மிருப்பதாக ஒரு சிலர் குழப்பிக்கொண்டே வருகிறார்கள். அது வேறு, இது வேறு விஷயம் என்பதை நாம் முன்பு சொன்னதைக் கொண்டு மனதில் வைத்துக்கொள்ளவேண்டும்.

“கடந்தகாலமாக தமிழர்கள் பல போராட்டங்களை நடத்திக்கொண்டே வருகிறார்கள். வடநாட்டு மொழி ஆதிக்கம் தென்னாட்டில் இருக்கக்கூடாது என்பதற்காக திராவிடக்கழகம், முன்னேற்றக்கழகம் ஹிந்தி அழிப்பு இயக்கத்தை நடத்தினார்கள். அதுமட்டுமல்ல. ஆந்திர மாகாணம் அமைய வேண்டுமென்பதற்காக சென்னை நகரில் ஸ்ரீ பொட்டி ஸ்ரீராமலு பட்டினி கிடந்து இறந்தார். அதைத்தொடர்ந்து விஜயவாடாலிலும், மற்ற இடங்களிலும் ரயில் வண்டி நிலையங்களில் சென்று குதறையாடியும், உணவு தான் யங்களைச் சேதப்படுத்தியும் ஆந்திரர்கள் கிளர்ச்சி செய்தார்கள். ஆனால் நியாயமான தனது பிரதேசத்தை ஆந்திராவுடன் சேர்க்கக்கூடாது என்பதற்காக திருத்தணியில் சாத்விகமான முறையில் தமிழர்கள் போராடிய போதும், இந்தியப் பிரதமர் தமிழர்களின் போராட்டங்களை வில்லி என்றும், நான்சென்ஸ் என்றும், சைல்டிஷ் என்றும் மட்டமாகப் பேசிக்கொண்டே வருகிறார்கள். மானமுள்ள தமிழர்கள் யாரும் இதைக்கேட்டு ஆத்திரம் அடையாமல் இருக்கமாட்டார்கள். அதன் காரணமாகத் தான் அறிஞர் அண்ணாத்துரை அவர்களும் நேருவுக்குப் பாடம் கற்பிக்க நாடெங்கும் ஜூலைமீ 15-ம் தேதி ரயில் நிறுத்தம் செய்வோம். அது சாத்விகமான மறியலாக இருக்குமென்று அறிவித்தார்கள். அவர் வேண்டுமோலின்படி தமிழ் நாடெங்கும் 600 இடங்களுக்கு மேல் மறியல் நடந்திருக்கிறது. ஆனால் டால்மியாபுரத்திலும், தூத்துக்குடியில் மட்டும் போலீஸார்கள் துப்பாக்கிப் பிரயோகம் செய்திருக்கிறார்கள். அதற்குக் காரணம் என்னவென்று சிந்தித்துப் பார்க்கவேண்டும்.

(At this stage the Deputy Speaker occupied the Chair.)

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“வட நாட்டிலிருந்து தென்னாட்டிற்கு சுரண்டுவதற்காக வந்த ஒரு முதலாளியின் பெயரை டால்மியாபுரம் என்று ஒரு தமிழ்நாட்டிலுள்ள ரயில் நிலையத்திற்குக் கொடுத்திருப்பது தமிழர்களை அவமானப்படுத்துவதாக இருக்கிறதென்ற காரணத்திற்காக அந்த ரயில் நிலையத்தின் பெயரை கல் லக்குடி என்று மாற்றியமைக்கவேண்டுமென்று கலைஞர் கருணாநிதி தலைமையில் தமிழர்கள் போராடினார்கள். இதில் தவறு என்ன? பெயர் மாற்ற இயக்கத்தை ராஜாஜி சில்லி என்கிறார். காங்கிரஸ்காரர்கள் வெள்ளையர்களின் பெயர் இருக்கக் கூடாதென்று பல இடங்களில் தமிழ்ப்பெயர்களை ஏற்படுத்தவில்லையா? பாங்க்வெட்டிங் ஹாலிற்கு ஏன் ராஜாஜி ஹால் என்று பெயரிட்டார்கள்? அது அற்பத்தனமல்லவா? சைனா பெஜாருக்கு ஏன் சுபாஷ் சந்திர போஸ் ரோடு என்றும், மதுரா என்பதை என் மதுரை என்றும் பெயர் மாற்றி வைத்தார்கள் என்று கேட்கிறேன். இவைகளைல்லாம் சில்லியல்லவா? இதேபோல டால்மியாபுரம் என்பதை கல்லக்குடி என்று மாற்றவேண்டுமென்பது தமிழர்களின் அவமானம் துடைக்கும் உரிமைப் போராட்டம், உரிமைக்கிளர்ச்சி. இந்த உரிமைக்கிளர்ச்சியை நேரு அவர்கள் அவமானப்படுத்திக்கொண்டே வருவதை கண்டிக்கும் முறையில் தான் சிதம்பரம் மகாநாட்டில் அதாவது ஜூலைமீ நான்கு ஐந்தில் நடந்த கூட்டங்களில் ஒரு தீர்மானம் போட்டு நிறைவேற்றினார்கள். ஜனங்கள் அமைதியாக பகலில் ரயில் நிறுத்தம் செய்ய

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[Sri A. Govindasami Nayagar]

வேண்டுமென அறிவிப்புகள் செய்திருந்தார்கள். அதுவும் 15-ந்தேதி ஒரே நாள் தான். கனம் ராஜாஜி சர்க்கார் என்ன செய்திருக்கவேண்டும்? தன்மானமிகக் தமிழர்கள் ஒன்று சேர்ந்து போராடப்போகிறார்கள் என்ற வுடனேயே நேருவுக்குக் கடிதம் எழுதி அவர் சொன்ன வார்த்தைகளை வாபஸ் வாங்கும்படி செய்திருக்கவேண்டும். ஆனால் முதல் மந்திரி அப்படிப்பட்ட நடவடிக்கை எதுவும் எடுக்கவில்லை. காமராஜருக்கும், ராஜாஜிக்கும் மனஸ் தாபம் வந்தபோது காந்தி “கிளிக்”, என்ற வார்த்தையை உபயோகித்ததைக் கண்டிக்கு எவ்வளவு கூட்டங்கள் நடந்து எப்பதை யாரும் மறந்திருக்க மாட்டார்கள். அந்தப் பெருந்தன்மை மிக்க உலகத் தலைவர் அந்த வார்த்தையை உடனே வாபஸ் வாங்கிக்கொண்டார். ஆனால் பெருந்தன்மையில் லாத காரணத்தால் அடிக்கடி தன்னிச்சைப்படி தமிழர்களை இழிவு படுத்தும் வார்த்தைகளை உபயோகிப்பது, தமிழர்கள் வருந்தும்போது அதை வாபஸ் வாங்காது இறுமாப்போடு நேரு இருக்கிறார். அவரது இழிவு படுத்தும் போக்கை எதிர்க்கவேண்டிய நிலைமையில் தான் நாம் இருக்கிறோம். இந்தக் கிளர்ச்சியில் சாத்வீக முறையில் போராடி நிராயுதபாணியான திராவிட வீரர்களைச் சுட்டிடுகிறது இந்த வெறிபிடித்த சர்க்கார். சரவதற்கு முன் கண்ணீர்புகை உபயோகிக்கப்படவில்லை. ரயில் போகாதவாறு குறுக்கே படுத்திருப்போர்களை பல்வந்தமாக அப்புறம் தள்ள எந்தவிதமான முயற்சியும் எடுத்துக்கொள்ளாது உடனடியாக 64 ரவுண்டுகள் சுட்டிடுகிறது. கண்ணதாசன்கையை நின்று தவிக்கிறார். கடந்த ஒரு வாரமாக என்ன நடக்கும் என்பதை பத்திரிகை வாயிலாகப் படித்தால் எல்லோருக்கும் தெரியும் என்று சொன்ன கனம் ராஜகோபாலாச்சாரியார் கண்ணீர் புகை ஸ்டாக் வைத்துக்கொள்ள உத்திரவிடவில்லையா? உத்திரவு இட்டிருக்க வேண்டாமா? வெறிபிடித்து 64 ரவுண்டுகளை சுடவேண்டும்? சுட்டது தான் சுட்டார்களே? ரயிலில் பிரயாணம் செய்து கொண்டிருந்தவர்களின் மேலேயா குறிப்பார்த்து சுடவேண்டும்? கதவுகளைச் சாத்திவிட்டு மேல் பரத்தில் படுத்திக்கொண்டிருந்த ஒரு பிரயாணி சுடப்பட்டிருக்கிறான். ஒரு சிறுவன் சுடப்பட்டிருக்கிறான் என்னும்போது சர்க்காரின் போலீஸ் அதிகாரிகள் எவ்வளவு வெறி பிடித்து நடந்து கொண்டிருக்கிறார்கள் என்பதை நாமே தெரிந்துகொள்ளலாம். தாலியை இழந்த தாய்மார்கள் அலறுகிறார்கள். அந்தத் தாலிகள் இந்த சர்க்காரைக் கேட்கும் குழந்தைகள் அலறுகின்றன. இப்படி சாத்வீகமான முறையில் நடத்தப்பட்டிருந்த ஒரு கிளர்ச்சியின் மீது அசம்பாவிதமான முன் எச்சரிக்கை எதுவுமின்றி துப்பாக்கிப் பிரயோகம் செய்தது மன்னிக்க முடியாத குற்றம் என்பதாக கனம் முதல் மந்திரி ராஜகோபாலாச்சாரியின் மேல் நான் குற்றம் சாட்டுகிறேன்.

“கிளர்ச்சி நடத்த இருந்த அறிஞர் அண்ணாவையும் கலைஞர் கருணாநிதியையும் இந்த சர்க்கார் சிறையில் அடைத்தது. இன்னும் இதுபோல பல ஆயிரக்கணக்கான பேர்கள் சிறையில் கிடைக்கிறார்கள். தலைவர்கள் இல்லாதபோது சர்க்கார் பலாத்கார முறையில் போலீஸ் படையின் உதவி கொண்டு சுட்டிடுகிறது, இதை இன்றையதினம் விசாரிக்கவேண்டுமென்றால், இந்த துப்பாக்கிப் பிரயோகத்திற்குக் காரணமாயிருந்த அதிகாரிகளைக் கொண்டே விசாரணை நடத்தும்படியாக ஏற்பாடு செய்திருக்கிறார். மேலும் கலெக்டர் விசாரிக்கும்போது பின்னால் சாட்சி சொல்லவேண்டிய கீழ் அதிகாரிகளும் இருந்திருக்கிறார்கள். இதில் ஏதாவது நியாயமுண்டா? நீதி உண்டா? என் கனம் ராஜா சிதம்பரம் போன்ற தனிப்பட்ட பிரமுகர்களைக் கொண்ட ஒரு கமிட்டியை நியமித்து விசாரணை நடத்தக்கூடாதென்று நான் கேட்கிறேன். அரசாங்க உத்தியோகஸ்தர்களைக் கொண்டே விசாரிக்கச் சொல்வதில் நியாயம் கிடைக்காது. கட்சி சார்பற்ற தனிப்பட்ட பிரமுகர்களைக் கொண்டுதான் விசாரிக்கச் செய்யவேண்டும். இது அரசாங்கத்தின் பொறுப்பு என்று சொல்லிக்கொள்ள ஆசைப்படுகிறேன். மேலும் ராஜாஜி அவர்கள் சொல்லியிருக்கிறார்கள், போலீஸ்காரர்கள் திறமையாகச் சுட்டியிருக்கிறார்கள், என்று அவர்கள் செய்கையை இவர் தான் பாராட்டுகிறார். தாலியை இழந்த தாய்மார்களின் கண்ணீர் ஓய்ந்தபாடினாலே. அவர்கள் அலறும் அலறல் ஓய்ந்தபாடினாலே. அது வெல்லாம் ஆச்சாரியாருக்குத் தெரியவில்லை. டால்மியாபுரத்தில் சுமார் பகல் 2 மணிக்குக் சுட்டிருக்கிறார்கள். எனக்கு உடனே மூன்று மணிக்கு ஒரு தந்தி, 3-24 மணிக்கு ஒரு

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தந்தி, 3-34 மணிக்கு ஒரு தந்தி என்று வரிசையாகத் தந்தி அடித்திருக்கிறார்கள், ஆனால் ஒரு தந்தியாவது எனக்கு அன்றே கிடைக்கவில்லை. ஒரு நாள் கழித்து எனக்குக் கிடைக்கும்படியாக இந்த சர்க்கார் செய்திருக்கிறது. இதான் ஜனநாயகத்தின் போக்கா? இப்படிச் செய்தியை மறைத்து விட்டால் உண்மை வெளிப்படாமலேயே இருந்து விடுமென்று எண்ணமா? குடையைக்கொண்டு சூரியனை மறைக்க முடியுமா? இஃதமாதிரியே பல செய்திகளை பல பத்திரிகைகள் போடவேயில்லை. தமிழர்களுடைய தன்மானத்தைப் புரிந்து கொள்ளவேண்டும். அவர்களது உரிமைக் கிளர்ச்சியை நன்கு அறிந்து கொள்ளவேண்டும். வட நாட்டவர்கள் நம்மை இழிவுபடுத்திப் பேசுவதை நிறுத்தும்படி செய்யவேண்டும். அதற்குத் தகுந்த நடவடிக்கையை இந்த சர்க்கார் எடுக்கவேண்டும். மிருகத்தனமாக நடந்து கொண்ட போலீசாரின் துப்பாக்கிப்பிரயோகம் நியாயமானதா இல்லையா யென்பதுபற்றி விசாரிக்க உடனே ஒரு தனிப்பட்ட பிரமுகர்கள் கொண்டுவந்து அரசாங்க உத்தியோகஸ்தாதிகள் அற்ற-ஒரு கமிட்டியை நியமித்து விசாரணை நடத்தவேண்டுமென்று கேட்டுக்கொண்டு என் பேச்சை முடித்துக் கொள்ளுகிறேன்.”

SRI S. SWAYAMPRAKASAM:—“ Mr. Deputy Speaker, Sir, the main purpose of this adjournment motion is to invite public attention to the serious danger to civil liberty and freedom because of the recent acts of the Government and their officials. Here the facts are very simple. The crowd at Tuticorin and Dalmiapuram obviously sympathized with the object of the Dravidian Progressive Federation. In one place, it was as a protest against the new elementary education introduced by the Chief Minister, even without consulting his own colleagues so far as my information goes. In another place, it was a protest against the change of one name for another. These may be the reasons why the crowd gathered there. In order to record their protest, they resolved in these places to stop trains by pulling the alarm chain and squatting on the railway track. Whether the method adopted by the people there was wise or not I am prepared to say.”

***SRI A. GOVINDASWAMI NAYAGAR:**—“ Sir, on a point of Order—கனம் அங்கத்தினர் ஸ்ரீ சுயம்பிரகாசம் அவர்கள் ஆரம்பக் கல்விக்காக ரயில் நிறுத்தம் செய்யப்பட்டதாகச் சொல்லுகிறார். ஆரம்பக் கல்வித் திட்டத்திற்கும், ரயில் நிறுத்தத்திற்கும், எந்தவிதமான சம்பந்தமும் கிடையாது. தமிழர்களை அவமதிக்கும் முறையில் இந்தியப் பிரதமர் பேசிக்கொண்டே வருவதைக் கண்டிக்கத்தான் ரயில் நிறுத்தம் செய்யப்பட்டது என்பதை அவருக்கும் தெரிவித்துக்கொள்ளுகிறேன்.”

MR. DEPUTY SPEAKER:—“ This is not a point of order. The hon. Member Sri Swayamprakasam may continue.”

4-30
P.m.

SRI S. SWAYAMPRAKASAM:—“ As far as facts are there, I take it that one of the objects of the agitators at Tuticorin is this. Somehow they resolved to stop the trains to achieve their object, whatever their object may be. Whether it is Mr. Govindasamy Nayagar's object or anybody's object, I am not worried. I am not also worried about the legal aspect of it. I am not worried whether the method adopted was wise or not. I am not here to determine whether the method adopted was lawful or not. But assuming for the sake of argument that the method adopted there is unlawful, we must know whether force was necessary in the circumstances. That is the point we have to decide. The second

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point is whether force to the extent of opening fire was necessary. These are the things we have to decide in this adjournment motion. So far as my information goes, I see that opening of fire in these two places was not necessary at all. I invite the attention of hon. Members of the House to the speech of the Hon. Minister here when he opposed the adjournment motion. He was very vehement when he said that if hon. Members had read the letters of the official organ of the Dravida Kazhagam and the Dravida Munnetra Kazhagam, they would see that they were bent upon doing certain mischief. In that connection also the Chief Minister used the word 'silly'. From that we have to infer that he ought to have taken precautions, and he has issued instructions (so far as my information goes) to open fire. Whether the Police officials have got statutory powers to use force in certain circumstances, and whether a police officer and the District Magistrate have got statutory powers to use force in certain circumstances, is a question we have to decide. Whether in Tuticorin and Dalmiapuram they exercised the powers entrusted to them under the statute, or they have followed the executive instructions issued by the Chief Minister, is another question we have to decide. In that connection alone, I am inviting the attention of hon. Members to the speech delivered the other day by the Chief Minister. He was referring to these two official organs. He was seeing the articles in *Viduthalai* and other papers inciting people to acts of violence. So, naturally he was referring to these articles for the purpose of showing to the House that these people were bent upon doing certain mischief. I am using his own argument. He was sure that they were going to adopt certain methods, e.g., pulling the alarm chain of the trains, etc. So, he had instructed the police people to open fire when occasion arose. If the Hon. the Chief Minister had issued instructions, we want to know what those instructions are. We want them to be placed before the committee. That is exactly why we wanted a committee of non-officials to go into the question. I am glad to the extent that the Chief Minister did not lose time to appoint some committee. Whether the committee of officials is or is not useful, is another question. But he has appointed a committee. Our demand is for the appointment of a non-official committee. From the evidence of the District Magistrate, we understand that the age of the District Magistrate is about 34. Two young people have been appointed as District Magistrates. They say they are taking up the responsibility. They have used force. They are not expected to understand the real circumstances. In this connexion I invite the attention of hon. Members to the fact that they were not prepared to disperse the crowd by tear gas. Tear gas would have been sufficient to disperse the crowd. But the executive instructions have been followed by the officials at Dalmiapuram and Tuticorin. We say for everything that we are following England. There the fundamental rights of people are not mentioned in the Constitution. We have got fundamental rights in our Constitution. Not only there is no mention of fundamental rights there, but Parliament is the sovereign body, omnipotent and all powerful. Even there, the Ministers are responsible to the people.

[Sri S. Swayamprakasam] [21st July 1953]

In one case two deaths resulted from the police opening fire. Even the Minister consented to have a non-official enquiry committee. But the Chief Minister here was telling that the Government would be abdicating their powers if they should be a party to appoint a non-official committee. That is not the correct way of looking at things. Whether the force used was necessary, or whether the police officials on the spot might have dispersed the crowd by other means, is the point we have to decide. Recently, Sir, the Press was very active and vociferous for the appointment of a committee in the case of the death of Dr. Mookherji, even though the death might have been a natural one. Still there is the element of suspicion. There is a cry that a non-official committee should be appointed. Here when hundreds of people have been fired upon, the whole press is silent and did not ask for the appointment of a non-official committee. What is the committee that has been appointed? One District Magistrate is asked to sit in judgment over the action of another District Magistrate. Some report appeared in papers that the Chief Minister stated in the other House that a judicial committee had been appointed. It is not at all a judicial committee. The District Magistrate is the Chairman and the Subordinate Judge is there to help the Chairman in his enquiry. This is not a judicial committee. The District Magistrate is all powerful. One District Magistrate cannot be expected to say 'no' to the action of another District Magistrate. That is the sympathetic vibration. There is the other thing also. Who can go against the wish of our Chief Minister? When he has used words like 'silly,' etc., here, and when those words appeared in papers, the mind of the district authorities will be prejudiced. But the Chief Minister said that if discussion had been carried on here, that will prejudice the mind of the people there. Sir, we want a non-official enquiry committee to go into the question. The Hon. the Chief Minister must also say whether he has issued any executive instructions, and, if so, those instructions must be placed before the committee and the House."

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p.m.

SRI R. KRISHNASWAMY NAIDU:—“கனம் உதவி சபாநாயகர் அவர்களே, சபை முன்பு விவாதத்தில் இருக்கும் அவசரப் பிரேரணையின் நோக்கமானது எனக்கு முன் பேசிய ஒருவர் கருத்துப்படி நேரு ‘நான்சென்ஸ்’ என்று சென்னார், அதற்காகத்தான் என்றும், மற்றவர் கருத்துப்படி ஆரம்பக் கல்வியையும் எதிர்ப்பதற்காகத்தான் என்றும் நாம் அறியவேண்டியிருக்கிறது. ரெண்டும் இரண்டு வகையாக இருக்கிறது. அது எப்படியாவது போகட்டும். நம் நாடு சுதந்திரம் அடைந்துவிட்டது. சுதந்திரம் அடைந்த நாட்டை என்றைக்கும் ஏதேனும் ஒரு கட்சி அரசாள வேண்டியது அவசியமாகும். அந்த நிலைமையை யாரும் மறுப்பதற்கில்லை. ஆனால் எந்தக் கட்சி இந்த நாட்டை ஆண்டாலும் கூட, அது நாட்டில் அமைதி நிலவுவதற்கு எல்லா ஏற்பாட்டையும் நிச்சயமாக எடுக்கும் என்பதில் கருத்து வேற்றுமை இருக்காது. பொதுவாக கம்யூனிஸ்ட்டு கட்சி ஆட்சி பீடத்தில் இருந்தாலும் சரி, உழைப்பாளர்கள் கட்சி ஆட்சி பீடத்தில் இருந்தாலும் சரி, திராவிடக் கட்சியே ஆட்சி பீடத்தில் இருந்துக்கொண்டிருந்தாலும் சரி அரசியல் நிர்வாகம் அமைதியாக, ஒழுங்காக நடந்துகொண்டிருவது ரொம்பவும் இன்றியமையாததாகும். அமைதியைக் காக்க எல்லா நடவடிக்கைகளையும் அது எடுக்கும் என்பதைப்பற்றி நான் சொல்லி மற்ற சகோதர அங்கத்தினர்கள் அறிந்து கொள்ளவேண்டும் என்ற அவசியம் கிடையாது. சர்க்கார் ஏதாவது ஒரு காரியத்தைச் செய்தால் அதை எதிர்ப்பதற்கு பல வழிகள் இருக்கின்றன

21st July 1953] [Sri R. Krishnaswamy Naidu]

ஜனநாயக நாட்டில், எப்படிப்பட்ட பெரிய அபிப்பிராயபேதங்கள் இருப்பினும்கூட எந்த ஆட்சியிலும் பலாத்காரத்தில் இறங்காமல் அமைதியான முறையிலேயே போராடி குறைகளை நிவர்த்தித்துக்கொள்ள பல மார்க்கங்கள் இருக்கின்றன. அந்த மார்க்கங்கள் என்னென்ன என்பதைப்பற்றி நாம் சிந்தித்துப் பார்க்கவேண்டியதும் மிக மிக அவசியம். அமைதியான முறையில் கூட்டங்கள் போடலாம். தீர்மானங்கள் நிறைவேற்றலாம். சர்க்கார் அங்கத்தினர்கள் பலபேர்களுக்கு மகஜர்கள் அனுப்பலாம். இதைப்போல பல துறைகள் இருந்தம்கூட அதையெல்லாம் விட்டு ரயில் வண்டிகளை நிறுத்துவது, ரயில்வே பாலங்களை கொளுத்தி விடுவது போன்ற செயல்களை எந்த கட்சி செய்தாலும் அதை சர்க்கார் பார்த்துக்கொண்டு சும்மாயிருக்கவேண்டுமென்று சொல்வது ரொம்பவும் தப்பிதமாகும். ஆரம்பக் கல்வி விஷயத்தில் எல்லோருக்கும் ஒரேவிதமான அபிப்பிராயம் இன்னும் வரவில்லை. எனக்கும்கூட பூர்ணமாக திருப்தி ஏற்படவில்லை, அப்படியிருக்க சர்க்காரிடம் அதைப்பற்றி பூர்ண விளக்கம் கேட்காமல் உடனே அதை எதிர்த்து ரயில்வே மறியல் செய்வதினால் போக்கு வரத்துக்கு எவ்வளவு பாதகம் உண்டாகிறதென்பதையும் நாம் பார்க்க வேண்டும். சர்க்காரின் திட்டத்தை யார் எதிர்ப்பதைப்பற்றியும் யாருக்கும் வருத்தமில்லை. ஆனால் அவர்கள் கைப்பற்றும் வழிமுறைகள் பற்றித்தான் வருந்த வேண்டியதாக இருக்கிறது. இந்த இரண்டு மனிதநேர விவாதத்தின் மூலமாக இது தீர்க்கப்படாவிடக்கூடிய விஷயமும் இல்லை. தங்களுடைய எண்ணத்தை நிறைவேற்றிக்கொள்ள ரயில்களை சங்கிலியைப் பிடித்து நிறுத்துவதும், ரயில் தண்டவாளங்களில் படுத்தக்கொள்வதும், குறையாடுவதும் சரியான முறையாகாது. சர்க்கார் ஒரு திட்டத்தைக் கொண்டுவரும்போது எல்லோருக்கும் அதில் பூர்ணமான திருப்தி இல்லாமல் இருக்கலாம். அதிலுள்ள குறைபாடுகளை எடுத்துச் சொல்லி சர்க்காருக்கு உதவுவதோடுகூட அவர்கள் செய்ய விரும்பும் காரியம் வெற்றிகரமாக நடக்கும்படி நாம் ஒத்துழைப்பது ரொம்பவும் அவசியமாகும். என்னைப் பொறுத்தவரையில் திராவிடக் கழகத்தினர் ஆரம்பக் கல்வியை எதிர்ப்பதற்காக மாத்திரம் இந்த நேரடியான பலாத்கார மறியல் இயக்கத்தில் ஈடுபட்டிருக்கிறார்கள் என்று நினைக்கவில்லை. அவர்களுடைய மனதை ஆராய்ந்து பார்க்கவேண்டும். பொதுமக்களிடம் அவர்கள் செல்வாக்கு குறைகிறது. கட்சிக்கு எந்தக்காரியத்தை எடுத்துக்கொண்டு போராடுவது என்றும் தெரியவில்லை. ஹிந்தி அறிப்பு இயக்கம் நடந்தபோது அவர்கள் பலர் சர்க்காரால் கைது செய்யப்படுவார்கள். தங்களுக்கு நல்ல பெயர் கிடைக்குமென்று எதிர்பார்த்தார்கள். சர்க்கார் எதுவுமே நடவடிக்கை எடுக்கவில்லை. அவர்கள் ஏமாற்றம் அடைந்தார்கள். மக்கள் அவர்களைப் பார்த்துச் சிரித்தார்கள். அவர்கள் குடும்பத்தவர்களே அவர்களை அவமானப்படுத்தினார்கள். ஆகவே சர்க்கார் தீவிர நடவடிக்கை எடுக்கும். ஒரு பலாத்காரச் செயலை செய்து சிறைச்சாலைக்குச் சென்றால்தான் தங்கள் மானத்தைக் காப்பாற்றிக்கொள்ளமுடியும். பொதுமக்களின் கவனத்தை, அவர்களின் அனுதாபத்தை தங்கள் பாலும், தங்கள் கட்சியின் பாலும் திருப்பமுடியுமென்ற எண்ணத்தோடுதான் அவர்கள் இம்மாதிரியாக நடந்துகொண்டிருக்கிறார்கள். இதை இல்லையென்று யாராலும் மறுக்க முடியாது. இந்த நாட்டில் நாம் சுதந்திரம் அடைந்த பிற்பாடு நிறைய பேச்சு சுதந்திரம் கொடுத்திருக்கிறோம். எழுத்துச் சுதந்திரம் கொடுத்திருக்கிறோம். அந்த சுதந்திரத்தையெல்லாம் அவர்கள் துஷ்பிரயோகம் செய்துகொண்டு சர்க்காருக்கு விரோதமான ஒரு பெரிய கிளர்ச்சியை உண்டாக்க முயற்சி செய்துகொண்டே வந்திருக்கிறார்கள். அதிகாரத்தை கைப்பற்ற வேண்டுமென்பதற்காகவும், ஒரு தனிப்பட்ட ஜாதியாரிடம் மிகத் துவேஷத்தை வளர்க்கும் முறையிலும் அவர்கள் செய்துகொண்டுவரும் காரியம் ஒவ்வொரு தமிழரும் வெறுக்கத்தக்கதாகும். வகுப்புப் பகைமையை வளர்த்துக்கொண்டே போகும் அவர்கள் செய்கையை சர்க்கார் தடை செய்யாவிட்டால் நானே சுதந்திர இந்தியா எப்படியிருக்குமென்று நம்மால் சொல்வதற்கே முடியாது.

“ வாஸ்தவத்தில் பார்த்தால் இன்றையதினம் காங்கிரஸ் தலைவர்களுக்கு மிகவும் சோதனை காலமாக இருக்கிறது. எதிர்கட்சிக்காரர்கள் எதை வேண்டுமானாலும் பேசலாம், எதை வேண்டுமானாலும் எழுதலாம் என்று

[Sri R. Krishnaswamy Naidu] [21st July 1953]

தன்னிச்சைப்படி சர்க்காரை தாக்கிக்கொண்டே போகிறார்கள். இரண்டு தினங்களுக்குமுன் சென்னை கடற்கரையில் நடந்த ஒரு கூட்டத்தில் பேசியவர்கள் எவ்வளவு அறுவருக்கத்தக்க முறையில் கண்டபடி பேசினார்கள் என்பதைப்பற்றி எனது நண்பர்கள் சொன்னார்கள். நான் நேரில் போக வில்லை. அவைகளைக் கேட்கும்போது மனம் வருந்த வேண்டியிருக்கிறது. இந்த ரீதியில் ஒருவருக்கொருவர் பொருமையையும், ஒருவருக்கொருவர் துவேஷத்தையும் வளர்த்துக்கொண்டே சென்றால் சுதந்திர இந்தியா உலகில் தலை நிமிர்ந்து வாழமுடியுமாவென்று கேட்கிறேன். தமிழ்நாட்டுக்கு நன்மை செய்வதாக நினைத்து இவர்கள் செய்யும் காரியங்கள் சுதந்திர இந்தியாவுக்கு ஹானி விளைவிப்பதாக இருக்கும்போது இவைகளை எப்படி சர்க்காரால் பொறுத்துக்கொண்டு போகமுடியுமென்று கேட்கிறேன்.

“ திராவிடக் கழகத்தினர் தாத்துக்குடியில் நடந்துகொண்ட விதத்தைப்பற்றி கேட்கும்போது தமிழர்கள் எல்லோரும் தலை குனிய வேண்டியிருக்கிறது. நான் நேற்றையதினம் விருதுநகரிலிருந்து ரயிலில் வரும்போது ஒருவர் கண்ணீரும் கம்பலையுமாக தாத்துக்குடியில் நடந்து கொண்டிருந்த அக்கிரமங்களைப்பற்றி எடுத்துச் சொல்லிக்கொண்டே வந்தார். அவர் பிராமணரல்லாதவர் என்பதை சபை கவனிக்கவேண்டும். அவர் என்னசொல்லி வருத்தப்பட்டார்? தாத்துக்குடி மேலூரில் அவர்கள் ரயில் நிறுத்தம் செய்ததோடு அல்ல; அதே சமயம் பிராமணர்கள் வசிக்கக் கூடிய பிரதேசங்களில் நுழைந்து சூறையாடியும், நகை நடடுகளை அறுத்துச்சென்றும், கண்ணாடிகளையும், நாற்காலி மேஜைகளையும் உடைத்தும், இதுபோன்ற பல காரியங்களைச் செய்திருக்கிறார்கள். ஒரு பச்சிளம் குழந்தையை கொல்வதற்குக் கூட அவர்கள் முயன்றார்கள் என்றும், பெண்களை அவமானப்படுத்தும் முறையில் நடந்தார்கள் என்றும் சொன்னார். இதை எந்த சர்க்காராவது பொறுத்துப் பார்த்துக்கொண்டேயிருக்குமா? அன்றையதினம் ஜனங்கள் எல்லோரும் பயந்துகொண்டு கைவுகளை நன்றாக தாழ்போட்டுக்கொண்டு வீட்டிற்குள்ளேயே கோழிக்குஞ்சைப்போல அடைந்து விடந்தார்களாம். ரயில் பாலங்கள் கொளுத்திவிடப்பட்டிருக்கின்றன. கூட்டத்தில் சுட்டு ஜனங்களைக் கலைத்திராவிட்டால் பாலத்தில் ஓடிய ரயில் விழுந்திருந்தால் எவ்வளவு ஜனங்கள் அன்று இறந்திருக்கவேண்டும்? எவ்வளவு ரூபாய்கள் அன்றைய தினம் சேதமாயிருக்கும்? இதெல்லாம் ரொம்பவும் ஜனநாயக முறையில் நடக்கும் செயல்களா? ஒரு சமூகத்தின் வளர்ச்சிக்காகவோ, ஒரு தனிப்பட்ட இனத்தின் வளர்ச்சிக்காகவோ ஒரு பெரிய நாட்டின் பொது வளர்ச்சியை சினைப்படுத்துவது ரொம்பவும் தப்பாகும். சமூகாயத்தின் நன்மை பெரிதே தவிர கட்சியின் நன்மை பெரிது அல்ல. ஒரு கட்சி மக்களின் அபிமானத்தை பெறவேண்டுமென்பதற்காக இதுமாதிரியான செயல்களைச் செய்தால் அது ரொம்பவும் வெட்கப்படத்தக்கதாகும். இந்தப் பெரிய இந்திய நாட்டின் எதிர்கால முன்னேற்றத்தில் கருத்து வைத்தே நாம் எந்தக் காரியத்தையும் எடுக்கவேண்டும். அதற்கு அடிப்படையாக தற்காலத்தில் அமைதியையும், ஒழுங்கையும் நிலைநாட்டவேண்டும். இந்தியப் பிரதம மந்திரி தமிழர்கள் தலைகுனியும் வகையில் சொல்லத்தக்க தவறான தத்துவங்களைச் சொன்னார். அதற்காக அவர் அதை வாயால் வாங்க வேண்டுமென்று ரயில் நிறுத்தம் செய்தோம் என்று சொன்னால் அது சரியா? அதற்காகப் பல்லாயிரக்கணக்கான உயிர்களைப்பாதிக்கும்வகையில் ரயில்கள் பாலத்திற்கு தீயா வைப்பது? ஜனநாயகமுறையில் இந்தக் காரியத்தைச் சாதித்துக்கொள்ள வேறுவழி கிடையாதா என்பதை கனம் அங்கத்தினர்கள் கூர்ந்து பார்க்கவேண்டும். இன்றையதினம் சர்க்கார் எல்லாக் காரியங்களுக்கும் குற்றம் சாட்டப்படுகிறது. சர்க்காரை நடத்திச் செல்கிற காங்கிரஸ் தலைவர்களையே எல்லாக் குற்றத்தையும் எதிர்க்க கட்சிக்காரர்கள் சாட்டுகிறார்கள். பொதுவாக சர்க்காரில் அவர்கள் இருந்தால் அவர்கள் எப்படி நடந்துகொள்வார்கள் என்பதைத்தான் அவர்கள் கூர்ந்து பார்க்கவேண்டுமென்று கேட்டுக்கொள்கிறேன். திராவிடக்கட்சிக் காரர்களே பதவியில் இருந்தால் இதுமாதிரியாக தடுப்பு நடவடிக்கையை எடுத்திருக்கமாட்டார்கள் என்று நான் கேட்கிறேன். பொதுவாக திராவிடக் கட்சிக்காரர்களின் அநீதியான போக்குக்கு 6 உயிர்கள் பலியாகிவிட்டதே

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என்றுதான் நான் வருந்துகிறேன். யாரோ கிளப்பிவிட யார் உயிரோ போகும்படியான நிலைமை உண்டானதுபற்றி நாங்கள் எல்லோருமே வருந்துகிறோம். அன்றையதினம் துப்பாக்கிப்பிரயோகம் நடக்காமல் இருந்திருக்கலாம். 6 உயிர்கள் பறிக்கப்படாமல் இருந்திருக்கலாம். ஆனால் துப்பாக்கிப்பிரயோகம் நடந்திராவிட்டால் நிலைமை எப்படியிருந்திருக்குமோ? எவ்வளவு உயிர்களுக்குச் சேதம் விளைந்து இருக்குமோ, யார் கண்டார்கள்? பொதுவாக சென்னை சர்க்கார் நிலைமை விபரீதமாகப் போகாதவகையில் அதைச் சமாளித்ததுபற்றி பெருமைதான் படவேண்டும். துப்பாக்கிப் பிரயோகம் நடந்தது என்றவுடனேயே சர்க்கார் பெருந்தன்மையான முறையில் பகிரங்க விசாரணை நடக்க ஏற்பாடு செய்திருக்கிறது. அதை எல்லோரும் பாராட்டவேண்டும். சில அங்கத்தினர்கள் உடனடியாக தனிப்பட்டோர் கமிட்டியை நியமித்து விசாரணை நடத்த வேண்டுமென்று சொல்லுகிறார்கள். இந்த விசாரணையின் முடிவு வரட்டும். அதற்குப் பிறகு என்ன நடவடிக்கை எடுக்கலாமென்பதைப்பற்றி யோசிக்கலாம் என்று முதல் மந்திரி சொல்வதை அவர்கள் ஒத்துக்கொள்ள வேண்டும். இதுமாதிரியான சமயத்தில் நாட்டில் அமைதியும், ஒழுங்கும் நிலவும்படி எல்லா அங்கத்தினர்களும் பார்த்துக்கொள்ளவேண்டுமென்று சொல்லிக் கொண்டு என் பேச்சை முடித்துக்கொள்ளுகிறேன்.”

* SRI M. KALYANASUNDARAM :—“கனம் சபாநாயகர் அவர்களே, 4-46
இந்த விவாதத்தில் சலந்தகொள்ளும் எனக்கு உணர்ச்சி வேகம் ஏற்
படுகிறது. ஒரு புறத்தில் தக்கம், இன்னொரு புறத்தில் கோபம்—ஆகவே
வார்த்தைகள் வருவதுகூட கஷ்டமாக இருக்கிறது. அப்படிப்பட்ட நிலைமை
தமிழ் நாட்டில் நடந்திருக்கிறது. துப்பாக்கிப் பிரயோகத்தின் மூலம் 10,
12 உயிர்களை மாயக்கவேண்டிய அவசியம் என்ன ஏற்பட்டது? துப்பாக்கிப்
பிரயோகத்தைத் தவிர வேறு வழியே அவர்களுக்குத் தெரியவில்லையா
யென்று நான் கேட்கவிரும்புகிறேன்.”

* THE HON. SRI C. RAJAGOPALACHARI :—“பத்துப் பன்னிரண்டு
பேர்கள் இறக்கவில்லை. டால்மியாபுரத்தில் நால்வரும், தூத்துக்குடியில்
இருவரும், ஆக ஆறு பேர்கள் இறந்திருக்கிறார்கள்.”

* SRI M. KALYANASUNDARAM :—“கனம் முதல் மந்திரி அவர்கள்
சொல்லுகிறார், “ஆறு உயிர்கள்தான் இறந்தனவென்று. அப்படியே
இருக்கட்டும். அதை நான் மறுக்கவோ, திருத்தவோ விரும்பவில்லை.
இந்த ஆறு பேர்களைத் தவிர இன்னும் பல ஆயிரக்கணக்கான
பேர்கள் கையும், காலும், மண்டையும் உடைப்பட்டு ஆஸ்பத்திரியில் கிடக்
கிறார்கள். இது நியாயமா, நீதியா, தப்பு யாருடையது என்ற விவாதத்
திற்கு வரும்முன் நான் முதலில் கம்ப்யூனிஸ்டுக் கட்சியின் சார்பில் இறந்த
வர்களுடைய குடும்பத்திற்கு மனப்பூர்வமான அனுதாபத்தைத் தெரி
வித்துக்கொள்ளுகிறேன்.”

“இம்மாதிரி துப்பாக்கிப் பிரயோகம் நிகழ்ந்த காரணம் என்ன? கனம்
ராஜாஜி அவர்கள் இந்த இயக்கத் தலைவர்களை சிறையில் அடைத்தபோதே
தலைவர்கள் வெளியில் இல்லாவிட்டால் என்ன நடக்கும் என்பதை உணர
வில்லையா? நேரில் காணும் பிரச்சனைகளை ஒப்புக்கொள்ள மறுத்து விஷயங்களை
மழுப்பக் கூடாது. நம் எதிரேயுள்ள உண்மை விஷயத்தை அப்
படியே எடுத்துப் பார்க்கவேண்டும். ஒவ்வொரு கட்சிக்கும் ஒவ்வொரு அபிப்
பிராயம் இருக்கும் ஒரு குறிப்பிட்ட பிரச்சனைபற்றி. வட நாட்டான் தென்னாட்டை
ஆதிக்கம் செலுத்துவதை ஒரு கட்சி விரும்பாமல் இருக்கலாம். அது
அந்தக் கட்சியின் அபிப்பிராயம். ஆனால் ஒரு பொறுப்புள்ள அந்தஸ்தில்
இருக்கக்கூடிய இந்தியப் பிரதம மந்திரி அவர்கள், இவைகளையெல்லாம்
சில்லி யென்றும், நான்சென்ஸ் என்றும் இழிவுபடுத்திப் பேசுவது ரொம்
பவும் கண்டிக்கத்தக்கதாகும். தமிழ் மக்களின் எழுச்சியை இழிவு
படுத்துவது தமிழ் நாட்டையே இழிவு படுத்துவது போலாகும். ‘தமிழ்
நாட்டிலுள்ளவர்கள் கௌரவமாக வாழவேண்டும். மானத்தோடு வாழ
வேண்டும். வடநாட்டானுக்கு அடிமைப்பட்டு தன்மானத்தை இழக்கக்
கூடாது. வடநாட்டான் தமிழனை இளப்பம்படுத்திப் பேசுவதைப் பார்த்துக்

[Sri M. Kalyanasundaram] [21st July 1953]

கொண்டிருக்கக்கூடாது. வடநாட்டானின் ஆதிக்கியச் சின்னமான வட நாட்டுப் பெயர்கள் தமிழ் நாட்டில் எந்த இடத்திலும் இருக்கக் கூடாது என்பதற்காக ஒரு கட்சி சாத்வீக முறையில், முன்னறிவிப்புச் செய்துவிட்டு, பாலியாபுரம் என்ற பெயரை கல்லக்குடி என்று திருத்தி எழுதுவதற்கு முயற்சி செய்தபோது கூட்டத்தின்மீது 64 ரவுண்டுகள் துப்பாக்கிப் பிரயோகம் செய்யவேண்டிய அவசியம், கனம் ராஜாஜி அவர்களின் ஆதிகார ஆதிக்க வெறியைக் காட்டாது வேறு எதைக் காட்டுகிறதென்றுதான் நான் கேட்கவிரும்புகிறேன். சபையிலே பேசும்போது கடந்த ஒரு மாதமாக திராவிடப் பத்திரிகைகளான விடுதலை, நம்நாடு போன்ற தினத்தாள்களைப் பார்த்தாலேயே உங்களுக்குத் தெரியும். இதுமாதிரியான ஒரு நிலையை உண்டு பண்ணவே அவர்கள் ரொம்பவும் தூபம் போட்டு வந்தார்கள். ஆகவே இதுமாதிரியான ஒரு சம்பவம் நிகழ்ந்திருப்பதுபற்றி நான் ஆச்சரியப்படவேயில்லை, என்று ராஜாஜி சொன்னாரே. அப்படி முன்பே என்ன நடக்கும் என்று எதிர்பார்த்த ஸ்ரீ ராஜாஜி துப்பாக்கிப் பிரயோகம் செய்யச் சொல்லித்தான் போலீஸ் அதிகாரிகளுக்கு உத்திரவிட்டாரா? குறிப்பாக சபையிலுள்ளவர்கள் ராஜாஜி பதவிக்கு வந்தபின், அதாவது அதிகாரம் அவர்கள் கைக்கு வந்தபின் எப்படி நடந்து கொண்டு வருகிறார் என்பதைப் பார்க்கவேண்டும்.

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p.m.

“பலமான எதிர்ப்புக்களிடையே கனம் ராஜகோபாலாச்சாரியார் மந்திரி சபையை அமைக்க ஒப்புக்கொண்டதும், தீரமாக மந்திரி சபையை அமைத்ததும்—கொல்லைப்புர வறியாக வந்தாலும் அதன் பின் தனது சாகஸங்களை உபயோகித்து, தனது சாணக்கிய சட்ட நுணுக்கத்திறமைகளைக் காட்டி மந்திரி சபையை நிலைக்க வைத்துக்கொண்டதையும் எல்லோரும் பாராட்டலாம். அது தனிப்பட்ட விஷயம். ஆனால் நாட்டின் நிலைமை கொஞ்சமாவது முன்னேற்றம் அடைந்திருக்கிறதா? பொதுநலனை பாதுகாக்க எப்படிப்பட்ட எதிர்ப்பு இருந்தாலும் ஒன்றுபட்டு அதை முறியடிக்க போராடுவோம் என்பதை மக்கள் பல சந்தர்ப்பங்களில் இந்தச் சர்க்காருக்கு எடுத்து காட்டியிருக்கிறார்கள். கனம் ராஜகோபாலாச்சாரியார் மந்திரி சபைக்கு எதிராக உணவுப் பஞ்சம், வேலையில்லாத திண்டாட்டம், பசிபட்டினிச் சாவுகள் போன்ற பல பிரச்னைகள் நான்கு நாள் அதிகரித்து கொண்டேயிருக்கின்றன ஆகவே இதுமாதிரியாக மக்கள் ஒன்றுசேர்ந்துக் போராட இப்பொழுது சந்தர்ப்பம் அளித்தால் இந்த எதிர்ப்புச் சக்திகள் எல்லாம் நிச்சயமாக ஒரு காலத்தில் ஒன்று திரண்டு இந்தச் சர்க்காரையே கவிழ்த்துவிடும் என்ற அச்சத்தாலேயேதான் மக்கள் உள்ளத்தில் பயத்தை உண்டுபண்ண அவசியமானால் துப்பாக்கிப் பிரயோகத்தையும்கூடச் செய்து இந்த இயக்கத்தை நசுக்க வேண்டுமென்று ராஜாஜி உத்திரவு போட்டிருக்கிறார்கள் என்று நான் சொல்லுகிறேன். அதை அவர்கள் மறுக்க முடியுமாவென்று கேட்கிறேன்? முன்பு நடந்த ஹிந்தி அழிப்பு இயக்கத்தின்போது போலீஸ் அதிகாரிகளுக்கு என்ன உத்திரவிட்டார்கள், அவர்கள் சாத்வீக முறையில் அழிக்கும்போது பேசாமல் இருங்கள். நிலைமை மேசமாசுவிடாமல் மாதிரம் பார்த்துக்கொள்ளுங்கள். என்று சொன்னதோடு கடைசி பாராவில் இதில் கம்யூனிஸ்டுக்கள் பங்கு கொள்ளுகிறார்களா என்று பார்க்கவும் எனக் கண்டிருந்தது.”

* THE HON. SRI C. RAJAGOPALACHARI :—“அப்படி எந்த உத்திரவும் போடவில்லை.”

* SRI M. KALYANASUNDARAM :—“உங்களால் உத்திரவும் போட முடியும். உத்திரவு போடவில்லையென்று மறுக்கவும் முடியும். ஆனால் எங்களால் அந்த ரகசிய உத்திரவைக் கொண்டுவந்து காட்ட முடியாதல்லவா? நீங்கள் உத்திரவு போடவில்லையென்றால், போலீஸ் அதிகாரிகளுக்கு என்ன உத்திரவு கொடுத்தீர்கள்? என்ன உத்திரவு கொடுத்தீர்களோ அதன் நகல் ஒன்றை சபையின் முன்பு உங்களால் வைக்க முடியுமா?”

THE HON. SRI C. RAJAGOPALACHARI :—“ஹிந்தி அழிப்பு இயக்கத்தின்போது போட்ட உத்திரவையா?”

21st July 1953]

* SRI M. KALYANASUNDARAM:—“அந்த உத்தரவையும்தான், இப்பொழுது போட்ட உத்தரவையும்தான், தமிழ் நாட்டில் ரயில் நிறுத்த மறியல் பல இடங்களில் நடந்த போதிலும்கூட துப்பாக்கிப் பிரயோகம் எந்த இடங்களில் நடந்திருக்கிறதென்று பாருங்கள். ஒன்று டால்மியா புரத்தில், மற்றொன்று தூத்துக்குடியில். டால்மியாபுரத்தில்தான் சிமிண்டு தொழிற்சாலை இருக்கிறது. தொழிலாளர்களின் நலனை நசுக்க எல்லா வித வழியையும் கையாளும் அந்த வட நாட்டு முதலாளி, மற்றவர்களுக்கெல்லாம் கிடைக்காத இந்திய சர்க்காரின் சலுகையைப் பெற்றுத் தொழிலாளிகளின் உயிரை உறுஞ்சி வருகிறான். தூத்துக்குடிதான் ஆர். வி. மில்லியின் கோட்டை. அங்கே வேலை செய்யக்கூடிய தொழிலாளிகள் பட்டினி சிடந்து செத்தாலும்கூட தன்னுடைய நாலு பங்கு லாபத்தில் ஒரு பங்கு லாபம் குறைந்தாலும் கூட அவன் அலறுவான். அவர்களின் நஷ்டத்தை கோடிக்கணக்கில் கொடுத்து ஈடு செய்யவும் சர்க்கார் முன்வரும். இந்த இரு இடங்களில்தான் துப்பாக்கிப் பிரயோகம் நடந்திருக்கிறது. வேலையில்லாத திண்டாட்டம், உணவு கிடைக்காத திண்டாட்டம் போன்ற பல பெரிய பெரிய பிரச்னைகள் நாட்டில் கிளம் டிக்கொண்டிருக்கிறது. இப்பொழுதிலிருந்தே எதிர்ப்புச் சக்திகள் ஒன்று சேர இடம் கொடுக்கக்கூடாது என்ற கருத்தோடுதான் கனம் ராஜகோபாலாச்சாரியார் அவர்கள் அவர்களைச் சுட்டுக்கொல்ல உத்தரவிட்டிருக்கிறார்கள் என்று கருதுகிறேன். இதுவே தமிழ் நாட்டிலுள்ள மக்களின் அபிப்பிராயம். சர்க்காரிடம் அவர்கள் ஆத்திரப்பட்டுக்கொண்டிருக்கிறார்கள். எதிர்க்கட்சிக்காரர்கள்மேல் பழியைச் சுமத்திவிட்டு, சந்தர்ப்பங்களை தனது சமயோசித புத்தியால் எப்பொழுதும் தனக்குச் சாதகமாகவே வைத்துக்கொண்டு விட்டால் மாதிரம் போதாது. சர்க்கார் தரப்பிலிருந்து பேசியவரால் கூட துப்பாக்கிப் பிரயோகம் சரி என்று சொல்வதற்கு நாக்கு வரமாட்டேன் என்று விட்டா. அவர் மனம் அதற்குத் துணியவில்லை. ஆகவே கனம் ராஜகோபாலாச்சாரிக்கு நான் எச்சரிக்கை செய்ய விரும்புகிறேன். பிரச்னையை நேருக்கு நேராகப் பாரக் கவேண்டும். சென்ற ஒரு மாதகாலமாகவே சர்க்காரின் ஆரம்பக் கலவித் திட்டத்தையும், மற்ற விஷயங்களையும் கண்டிக்கும் முறையில் அவர்கள் மகாநாடுகள் கூட்டிலுருக்களை. பலபல இடங்களில் கூட்டங்கள் போட்டு தீர்மானங்கள் அனுப்பினார்கள். அவர்களது தினத்தாள்களில் ரொம்பவும் எதிர்த்து எழுதி வந்திருப்பதாக கனம் ராஜகோபாலாச்சாரியாரே ஒப்புக்கொண்டிருக்கிறார். அப்படியிருக்க ஜனநாயகத்தில் ரொம்பவும் நம்பிக்கையுள்ள கனம் ராஜாஜி அவர்கள் அந்தக் கட்சித் தலைவர்களைக் கூப்பிட்டு வைத்து அவர்கள் எதிர்க்கவேண்டியதின் அவசியத்தைக் கேட்டாரா? அப்படி எதுவும் சமரஸ் முறையில் நடந்ததாகத் தெரியவில்லை. விபரீதமான செய்கை ஏற்படலாம் என்று உணரும் போதாவது கண்ணீர் புகை எல்லாயிடங்களிலும் கிடைக்கும்படி வழி செய்தாரா? போதுமான முன்னறிவிப்பு இன்றி, சாதனீகமான முறையில் கூட்டத்தைக் கலைக்க வழியிருந்தும் அவைகள் ஒன்றையும் கைப்பற்றாமல் சுருவதற்கு உத்தரவு எப்படி கொடுத்தார்கள் என்று கேட்கிறேன். கனம் ராஜாஜியின் உத்தரவு இல்லாவிட்டால் அவர்கள் அப்படித் துணிந்து செய்திருப்பார்களா? கூட்டத்தினரின் தொகை அதிகமாக இருந்தது என்று வைத்துக்கொண்டாலும், அவர்களைக் கலைப்பதற்கு வேறு வழி ஒன்றுமே இல்லையென்று வைத்துக்கொண்டாலும் முப்பது வயதுகூட நிரம்பப் பெருத ஒரு அதிகாரி, ஒரு ரவுண்டா இல்லை. 64 ரவுண்டுகள் சுடு, சுடு என்று சொல்ல வேண்டுமானாலும் அரசாங்கத்தின் உத்தரவு இல்லாமலா தைரியமாக அப்படி மக்களின் உயிர்களைத் திரணமாக மதித்து உத்தரவு இட்டிருப்பார்? நான் கேட்கிறேன்? யாரோ தெரியாமல் செய்து விட்டதாக, ஸ்தல அதிகாரிகளின்மீது பழியைப் போட்டுவிட்டு கனம் ராஜகோபாலாச்சாரியார் தப்பித்துக்கொள்ள முடியாதென்று நான் எச்சரிக்கை செய்யவிரும்புகிறேன்.

“ஆகவே ஒரு பாரபட்சமற்ற கமிட்டியை நியமித்து இதைப்பற்றி விசாரிக்க வேண்டும். இந்த சம்பவத்திற்குக் காரணமாயிருந்த அதிகாரிகளை விட்டே இதை விசாரிக்கச் சொல்வது ரொம்பவும் தப்பாகும். அதில் நியாயம் கிடைக்காது. நீதி இருக்காது. ஆகவே ஜனநாயகத்தை காலில் போட்டுத் துவைக்காமல், ரத்தத்தைச் சிந்தி இந்த நாட்டில் ஜனநாயக

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கத்தைக் காப்பாற்றவேண்டிய ஒரு நிலைமை ஏற்படாமல் செய்ய வேண்டுமென்றால் உடனே தனிப்பட்ட அங்கத்தினர்களைக் கொண்ட ஒரு கமிட்டியை நியமித்து இதுபற்றி பாரபட்சமற்ற விசாரணையை நடத்த வேண்டுமென்று நான் கேட்டுக்கொள்ளுகிறேன். அல்லது ஜனங்கள் ரத்தத்தைச் சிந்தியாவது ஜனநாயகத்தை நிலைநாட்ட இந்த ஏதேச் சதிகார ஆட்சியை ஒழித்துக் கட்டுவார்கள் என்று சொல்லிக்கொண்டு என் பேச்சை முடித்துக்கொள்ளுகிறேன்.”

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p.m.

SRI P. B. K. RAJACHIDAMBARAM:—“ Mr. Deputy Speaker, Sir, I hail from that part of Tamil Nad, called Chola Nad, with an ancient history and a culture also. The Hon. the Chief Minister knows that very great kings like Manuneethi Chola ruled over that territory. He also knows how justice was meted out during the reign of King Manuneethi Chola, who never cared who was the culprit, whether it was his own son or somebody else. When a poor cow, a dumb cow, saw that its own calf was run over by the chariot of the young prince, it went and sought audience with the King. Unfortunately, there was not the District Superintendent of Police of Coimbatore or the Collector to stop away the cow from having an audience with the king. The king gave an audience, and when he found that his own son had done a mistake, he never hesitated to punish his own son. Coming from that part of the country, I want to say that when we, as elected representatives of the public, came forward with a complaint saying that the lives of innocent people had been taken away, not by an accident but by a deliberate act of the subordinates of the Government, the Hon. the Chief Minister made a statement on the floor of the House, which I was pained to read. With your permission, Sir, let me quote from his speech. He is reported to have said—

‘ If they begin to doubt the correctness of the act immediately and ask for the appointment of a non-official committee, it would be prejudging the action of the people concerned.’

Then, I want to know whether, by the very act of appointing a committee to enquire into the real facts, we are going to prejudge their action. If the honour of the officials who are concerned with the shooting is so sacred, then even an enquiry should not be ordered by the Hon. the Chief Minister. But in the same statement he says—

‘ The persons entrusted with the task of conducting the enquiry are judicial officers not connected with the executive administration.’

With due respect to the Hon. the Chief Minister, I do not see why such a statement which is not true should be made on the floor of the House. As far as the Dalmiapuram incident is concerned, I find that the District Magistrate and another Subordinate Judge have been appointed to go into the question. It is a known fact that the district magistrate is the authority who is entrusted with the maintenance of law and order in the district. Does the Hon. the Chief Minister want us to believe that the district magistrate had nothing to do with all the incidents that took place in Dalmiapuram? Does he want us to believe that an impartial enquiry will be conducted by the District Magistrate who also is responsible for this unfortunate incident?

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“ Another point is this. When the Hon. the Chief Minister does not want us to go into the question and take part in this debate because, he says, we will be prejudging the action of the officers or we will be interfering with this enquiry—he has not hesitated to praise the acts of the brave policemen and the officers who have done this brave act of shooting down innocent railway passengers. He says— 5 p.m.

‘ I shall certainly order a fuller enquiry that may be necessary in the case. Any discussion on the matter at present would be prejudicing the action of brave officials and policemen who were doing their work properly and bravely under difficult conditions.’

I want to know whether such an observation will not really prejudice the enquiry conducted by an officer who is also responsible for this unfortunate shooting incident. I don't see why the Hon. the Chief Minister should have chosen to make such an inconsistent statement on the floor of the House, in his anxiety just to safeguard the interests of these young and inexperienced officials who have been let loose in the country, with high powers. Certain facts I want to bring to the notice of the Hon. the Chief Minister, and I hope he will consider those points when he is giving his reply to the debate. This unfortunate shooting incident took place between 2 p.m. and 3 p.m. When did the information reach the District Magistrate? When did the District Magistrate reach the spot and when did he send his report to the Government? I say the District Magistrate reached the spot four hours after the incident, and after spending a few hours at the spot, he took all those concerned with the shooting back to Tiruchirappalli, 23 miles away, sat at a conference, concocted evidence, prepared documents, and then made a report to the Government after midnight. I want to know whether the Hon. the Chief Minister is going to deny this. I emphatically say that the District Magistrate reported the matter to the Government just after midnight, that is, after so many hours since the incident took place. Why such an inordinate delay took place on the part of the District Magistrate should be considered. Still, the very same District Magistrate is appointed to sit in judgment over the action for which he is also primarily responsible.

“ The Hon. the Chief Minister in his statement says that he had been following the writings and the speeches of the persons responsible for all these demonstrations and that he was not astonished at the turn of events because he himself thought that such a course of action might be taken by those people. As far as the Dalmiapuram incident is concerned, some months back a conference was held, which was attended by thousands of people, and a resolution was passed saying that a demonstration would be staged at Dalmiapuram. A number of meetings were held throughout the district, and in every meeting the sponsors of this movement were telling the people that they were going to stage a demonstration. In spite of all these things, the local officials kept quiet, and were not prepared to meet the situation. As one who was present at Dalmiapuram the next day after the unfortunate incident and who has seen the excellent arrangements made by the Police and the District Magistrate a day after the firing incident, I can boldly

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say, 'Had only the District Magistrate and the District Superintendent of Police the prudence to correctly assess the situation and had they taken necessary steps, this unfortunate incident of shooting might have been averted! Further, till this day the Government or the District Officers have not come forward with a statement about the number of persons killed. I know, as matter of fact, that as soon as the shooting took place, the young Sub-divisional Magistrate, may be probably that was the first instance when he had to order a shooting, I do not know, whether on his own initiative or under the orders of the Government did not even take steps to remove the dead bodies or the injured persons to the hospital. It was the private parties that took the injured and dead persons to the hospital and other places. That is why the authorities could not say how many died and how many were injured, and they had to collect information. That is why the District Magistrate had to delay sending his report to the Government. Is it not an irresponsible way of dealing with the dead and injured persons, especially after this incident?

"That night when I went to Dalmiapuram, I heard that that morning about 36 persons, including Sri Karunanidhi, the great novelist and playwright, had been arrested and detained in the Police station. To my great surprise, I heard that till 10-30 in the night they had not been given any food. Then I went and saw the Police officer in charge of the Police station. Then only he remembered those poor people who were arrested and kept in the lock-up. Then he agreed that we could supply them food. But, Dalmiapuram being an out-of-the-way place, we could not give them food, and those poor persons had to be satisfied with some fruits. Is this the way to treat these persons who were arrested and put in the cell?

"Sir, I have already clearly stated that the District Magistrate is not the person to conduct an enquiry into this matter. So, at least now, will the Hon. the Chief Minister come forward with a statement saying that the present enquiry will be stopped and that the enquiry will be conducted by a judicial officer who has nothing to do with the executive work, as he has already agreed in his statement on the floor of the House?"

*** SRI N. RATHINA GOUNDER :—**"கனம் உதவிச் சபாநாயகர் அவர்களே! இன்று சாத்வீகத்தில் நம்பிக்கைக் கொண்ட நமது சர்க்கார் சமீபத்தில் கையாண்ட மிருகத்தனமான செயலைக் கண்டிக்கும் முறையில் கொண்டுவரப்பட்டிருக்கும் தீர்மானத்தின் மீது நான் சர்க்காரின் செயலை வன்மையாகக் கண்டித்துப் பேச வேண்டியதாக இருக்கிறது.

"இதற்கு முன் எத்தனையோ காரியங்களைச் சாதிக்க எத்தனையோ கட்சிகள் சாத்வீக முறையில் பல போராட்டங்களை நடத்தியிருக்கின்றன.

"அதே போலவே தென்னாட்டில் வட நாட்டாரின் சுரண்டல் இருக்கக்கூடா தென்றும், அவனது ஆதிக்கியத்திற்கு உள்ளடங்கி அடிமையாக வாழக் கூடாதென்றும் திராவிட மக்களின் விடுதலையைக்கோரி திராவிடக் கழகமும், திராவிட முன்னேற்றக் கழகமும் வெகு நாளாகப் போராடிக் கொண்டு வருவது நாம் எல்லோரும் அறிந்ததே. ஆனால் போராட்டங்கள் எத்தனையோ நடந்தும் கூட இதுவரை அவர்கள் யாரும் எந்தவிதமான பலாத்காரச் செயலிலும் இறங்கவில்லை. இப்படி அமைதியான முறையில், சாத்வீக

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முறையில் நடந்துவரும், போராட்டத்தை, இந்திய முதல் மந்திரி ஸ்ரீ பண்டிட் நேரு அவர்கள் “நான் சென்ஸ்” என்றும், silly என்றும் பொறுப்பற்ற முறையில் பேசி வருவதைக் கண்டிக்கும் முறையிலும், வட நாட்டு ஆதிக்கம் ஒழியவேண்டுமென்ற முறையிலும் ஒரே ஒரு நாள், அதுவும் பகலில் சாதிக் முறையில், ரயில் நிறுத்தம் செய்வதென்று முடிவு செய்யப்பட்டிருக்கையில் அரசாங்கத்தார் பலாத்கார முறையில் நடந்து கொண்டது ரொம்பவும் தப்பாகும். தமிழ் நாட்டில் அன்று பல யிடங்களில் மறியல் நடந்திருக்கிறது. எல்லாயிடங்களிலும் ரொம்பவும் அமைதியான முறையில், நியாயமான முறையில் மறியல் நடந்திருக்கிறது. மேலும் இந்த ரயில் நிறுத்தத் திட்டத்திற்கும், அரசாங்கத்தாரால் சமீபத்தில் கொண்டுவரப்பட்டிருக்கிற ஆரம்பக் கல்வி திட்டத்திற்கும் யாதொரு சம்பந்தமும் இல்லையென்பது யாவரும் அறிந்ததே. ஆகவே அவைகள் இரண்டையும் பிணைக்காமல் பிரச்சீனையை ஆராய்ச்சி செய்ய வேண்டும்.

“வட நாட்டான் தென்னாட்டானை அடிமைப் படுத்தி, ஆதிக்கம் செலுத்துவதை தகர்த்தெறிய வேண்டுமென்று தன்மானமுள்ள தமிழர்கள் சொல்வதில் தவறு உண்டா? வட நாட்டானின் சுரண்டலை தென்னாட்டில் அனுமதிக்க முடியாதென்று போராடுவது தவறு? தென்னாட்டிலுள்ள தலைவர்களின் பெயர் எதையாவது வட நாட்டில் வைத்துக் கொண்டிருக்கிறார்களா? கனம் ராஜாஜியின் பெயரைத் தாங்கி ஏதாவது ஸ்தாபனம் அங்கே யிருக்கிறதா? தமிழ் நாட்டின் விடுதலைக்காக தன் பொருள், உயிர் எல்லாம் கொடுத்தவர் கப்பலோட்டிய தமிழன் வ. உ. சிதம்பரம் பிள்ளையின் பெயரை வைத்திருக்கிறார்களா யென்று கேட்கிறேன்? அப்படியிருக்கும்போது தென்னாட்டின் செல்வத்தைச் சுரண்ட வந்த வட நாட்டு முதலாளியின் பெயரில் ‘டால்மியாபுரம்’ என்று ஏன் ஸ்டேஷன் இருக்கவேண்டுமென்று கேட்கிறேன்? அதற்குக் கல்லக் குடி என்று பெயரிடவேண்டுமென்று போராடுவது தப்பா? தன்மானமுள்ள தமிழர்கள் எல்லாம் வட நாட்டு ஆதிக்கியத்தை ஒழித்துக்கட்டவேண்டுமென்பதற்காகத்தான்’ ரயில் நிறுத்த மறியல் நடந்ததே தவிர ஒரு அறிஞர் அணை அவர்களின் நலனுக்காகவோ பெரியார் ஈ. வே. ராவின் நலனுக்காகவோ அல்ல. தென்னாட்டில் தமிழன் மானத்துடன் வாழவேண்டுமென்பதற்காக நடத்தப்பட்ட தன்மானப் போராட்டமாகும். டால்மியாபுரம் என்ற பெயரை கல்லக்குடி என்று மாற்றுவதற்காக நடத்தப்பட்ட சாதிக் போராட்டத்தில் ‘Government of the people, by the people, for the people.’

(At this stage Mr. Speaker resumed the Chair.)

“என்று சொல்லிக்கொண்டிருக்கும்போது போராட்ட வீரர்களை சர்க்கார் மிருகத்தனமாகச் சுட்டுக் கொன்றது ரொம்பவும் கண்டிக்கத்தக்கதாகும். மக்களின் விருப்பத்தை நிறைவேற்ற வேண்டியது சர்க்காரின் கடமையே தவிர, அவர்களின் சாதிகை கிளர்ச்சியை பலாத்காரத்தால் அடக்கிவிட முயல்வது ரொம்பவும் தப்பாகும். தென்னாட்டின் இயக்கங்களை யெல்லாம் பற்றி இந்திய முதல் மந்திரி ‘சில்லி’, ‘நான் சென்ஸ்’, என்றெல்லாம் சொல்லி வந்திருப்பது கண்டிக்கத்தக்கதாகும்.

“அதையெல்லாம் விட்டு விட்டு சர்க்கார் போலீஸ் படையை மிருகத் தனமாக ஏவி விட்டதால் ஆறு திராவிட மணிகளின் உயிர்கள் குடிக்கப்பட்டு விட்டன. பல்லாயிரக் கணக்கான பேர்கள் மண்டை உடைந்து கிடக்கிறார்கள். கண்ணதாசன் போன்றவர்கள் கையொடிந்து கிடக்கிறார்கள். தாலி இழந்த தாய்மார்களின் கண்ணீர் பெருக்கெடுத்து ஓடுகிறது. இப்படி வெறி பிடித்து நடந்துகொண்ட போலீஸ் காரர்களின் செய்கை நியாயமானதா யென்பதைப் பற்றி விசாரிக்க ஒரு தனி நபர்கள் கொண்ட கமிட்டியை நியமிப்பது ரொம்பவும் அவசியமாகும். இரண்டு அதிகாரிகளைக் கொண்டு விசாரிக்கச் சொல்வது தவறாகும். அவர்கள் கட்சியிலேயேயுள்ள உத்தமர் ஓமாந்தூர் போன்றவர்களையும், மற்ற கட்சிகளுக்கு ஒவ்வொரு நபரையும் கமிட்டியில் நியமித்து விசாரிக்கச் சொல்வது ரொம்பவும் அவசியமாகுமென்று சொல்லிக்கொண்டு முடித்துக் கொள்ளுகிறேன்.”

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p.m.

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* DR. K. B. MENON :—“ Mr. Speaker, Sir, we have not the full facts before us and therefore it is not possible to speak on the merits of the case. Hence I would like to confine myself to a few general remarks about the shooting that has resulted in the loss of life of the citizens. No one will question the right of the State to use force in the normal discharge of its duties. As a matter of fact, a modern State is an incarnation, an embodiment of force.”

MR. SPEAKER :—“ I now fix a time-limit of five minutes for each Member.”

* DR. K. B. MENON :—“ No one will question the right of the State to use force, but the issue is not the use of force, but how and when it was used, whether there was restraint, and whether minimum force was used. These are the issues that are at stake now. As far as I can understand, public opinion does not countenance the use of force by the Police which resulted in the loss of life of citizens. When a man is shot down by the agents of law appointed by the State, it is very difficult to pacify the public mind on the issue. Shooting in India has a long history and there are also bitter associations with that history. These shootings are fresh in public mind. The public have not yet forgotten those days when such things happened during British regime. These things happen even after we have gained our independence. Now people ask the question, ‘ What is the difference between British regime and Congress Raj ? ’. It is very natural for them to ask that question and it is for the Congress to answer that question.”

“ Often, the excuse put forward by the police is that shooting was done for reasons of self-defence. Even in the case of self-defence, my submission is that shooting should not be ordered to kill. In such cases, shooting should be ordered below the knee. As shooting was done at random and in a reckless way, even persons who are innocent died as a result of shooting; as it has happened in the present case.

“ My second submission is that whenever and wherever shooting may happen, there should be public enquiry and not a judicial enquiry. Judicial enquiry does not have the status of public enquiry. In the present case, I submit the enquiry that has been ordered is not at all a public enquiry and not even a judicial enquiry. I should call it an executive enquiry. An executive enquiry can never satisfy the public. In cases where the loss of citizens’ lives happens, there should always be a popular and public enquiry.”

SRI S. C. C. ANTHONY PILLAI :—“ Mr. Speaker, Sir, let me also add my voice of protest to the general condemnation against the repressive measures adopted by the Government against peaceful agitators. It was said by one of the hon. Members that this agitation was confined to the question of changing of names. But judging from the chain of events, we find that these demonstrations were with regard to two matters, viz., the new education

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policy followed by the Government and also the question of changing the name of a particular place. As this agitation has sprung up from the education policy of the Government, it may be relevant to refer to that policy. But I would reserve my remarks to a later occasion so far as that policy is concerned.

“ The Hon. Mr. Rajagopalachari, the Chief Minister, referred a few days ago to the fact that he anticipated that there would be some kind of demonstrations and that it would be necessary to deal with them firmly. There was no intelligent anticipation. I for my part fail to understand or appreciate the intelligence. Rather, I would prefer to say that there was lack of intelligence on the part of the Government in anticipating these demonstrations. That is the impression one would get if he takes into account the manner in which the Government prepared themselves to meet this movement of the Dravida Kazhagam and Dravida Munnetra Kazhagam. They have a strong hold in certain localities of the State. Their movement did not spread throughout the State. So it would have been possible for the Government to mobilise their forces in sufficient numbers to meet the situation in those localities. The fact is these demonstrations were not intelligently anticipated, and so there was not intelligent preparation to meet the situation. If we read the newspaper reports, we find that the police were not fully prepared and even milder equipment like tear gas equipment was not supplied to the police to prevent the breach of law and order. When such an incident has happened under the regime of a person like the Hon. Mr. Rajagopalachari, one has to come to the conclusion that there was no intelligent anticipation, but there was excessive use of force. That is the conclusion to which any average citizen will come to under the present circumstances. When the Government knew in advance the type of demonstration and the length of time for which it will be in force and all those things, and when the Government did not take adequate steps to meet them, one is compelled to come to the conclusion that the Government wanted these things to go on and wanted to suppress the demonstrators by the use of excessive force.

“ The demonstrators seem to have announced in advance that they would be demonstrating only for a particular period of time. i.e., up to 5-30 p.m. or so. Due to natural calamities, sometimes trains run late by many hours. Similarly, they could have waited till 5-30 p.m. and after that, trains might have been allowed to move. By adopting this method, no harm would have been done to anybody and the shooting also could have been avoided. The Hon. Mr. Rajagopalachari very often uses on the floor of the House certain facile phrases during question time and other occasions also. When we ask for anything to be done, he says that the ‘ Government will be abdicating their functions if they accede to our request’. I want to ask, ‘ Can the people abdicate their sovereignty?’ In this particular movement, we must see the autocratic manner in which the Government want to implement their policy. One may say that such demonstrations may be all

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right during foreign rule and that in the present context when there is our own Government, these things are not necessary as these matters could be raised by the Opposition Members in the Legislature. But I would like to say that such an argument cannot hold good when we consider the present incidents and the action taken by the Government."

MR. SPEAKER:—"The hon. Member's time is up."

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p.m.

* SRI S. RADHAKRISHNAN:—"கனம் சபாநாயகர் அவர்களே! 'ரோமாபுரி பற்றி எரியும்போது பிடிப் வாசித்தாலும் நீரோ மண்ணை', என்பதைப்போல நாட்டில் மக்கள் சுட்டுக்கொல்லப்படும்பொழுது, நாட்டில் மக்கள் நாய்களைப்போல அடித்து இழுத்துச் சிறையில் அடைக்கப்படும்போது, சட்டி பாளைகளை உடைப்பதைப்போல அவர்களது மண்டைகளையும், கைகாலைகளையும் உடைத்தெறியும்போது, இப்படிப்பட்ட அலங்கோலக் காட்சியை ஏற்படுத்திய ஆதிக்கவெறி பிடித்த சர்க்காரின் நடவடிக்கையைப்பற்றி விவாதிக்க வேண்டுமென்று கொடுத்த அவசர ஒத்திவைப்புப் பிரேரணையை உடனே விவாதத்திற்கு எடுத்துக்கொள்ளாது, ஆந்திர ராஜ்ய சட்டத்தைப்பற்றி விவாதிப்பது இருக்கிறது இவ்வளவு நாள் காலம் கடந்து விவாதத்திற்கு வந்தது ஜனநாயக ஆட்சியில் நாம் எல்லோரும் அவமானப்பட்டுவண்டியதாக இருக்கிறது. நாட்டில் அன்று என்ன நடந்தது? திராவிட முன்னேற்றக் கழகம், திராவிடக் கழகம் என்ற மக்கள் கழகங்கள் மக்களுடைய எழுச்சியை, மக்களுடைய நன்மையைக் கருத்திட்டுக்கொண்டு அவர்களின் நல் வாழ்வுக்காக ஒரு திட்டத்தை எடுத்துக்கொண்டு சாத்வீகமான முறையில், அமைதியான முறையில் ஒரு மறியல் திட்டத்தை நடத்தியபோது, சர்க்கார் அவர்கள் பால் பலாத்காரமாக துப்பாக்கிப் பிரயோகம் செய்தது ரொம்பவும் கண்டிக்கத்தக்க ஈனத்தனமான செய்கையாகும். அதற்காக தமிழ் நாடு உழைப்பாளிகள் கட்சி வருத்தத்தை தெரிவித்துக் கொள்ளுகிறது. வேதனே அடைகிறது. வன்மையாக கண்டிக்கிறது. இது மாதிரியாக சுட்டுக் கொல்லைப் பட்டது, சிறையில் அடைக்கப்பட்டிருக்கிறது நியாயமானதா, அநீதியானதா என்பதைப்பற்றி எதுவுமே குறிப்பிடாமல் காங்கிரஸ் கட்சியில் இருந்து பேசிய ஒரு அங்கத்தினர் ஜனநாயகம், சர்க்கார், தேசியம் என்று என்னென்னவோ சுற்றி வளைத்துப் பேசினார். அவர் பேசியதை அந்தமே எனக்கும் புரியவில்லை. சர்க்கார் இப்படி மக்களின் எழுச்சியை அவமானப்படுத்தும் முறையில் எழுச்சி முன்னணி வீரர்களைச் சிறையில் தள்ளிவிட்டு, போராட்டத்தில் கலந்துகொண்ட வீரர்களை சுட்டுக் கொன்றது நியாயம் என்று அவர் வாதிக்கிறாராபென்பதைப்பற்றி என்போன்றவர்கள் தெரிந்து கொள்ளமுடியவில்லை. அவர் எதற்காகப் பேசினார் என்றே எனக்குத் தெரியவில்லை. ஜனநாயகம், பரந்த உலகம் என்றெல்லாம் நாம் பேசலாம். இருக்கிற நிலைமையை அவர் மறந்துவிட்டார். ஒரு இனம் இந்த நாட்டில் அதிகாரத்தில் இருக்கிறது. அந்த ஒரு இனம் நாட்டில் எல்லா வசதிகளையும் அடைந்து வருகிறது. அந்த ஒரு இனம் திராவிட பிற்பட்ட இனங்களை நசுக்கி, சுகபோகத்தில் இருந்து வருகிறது. திராவிட கழகம், முன்னேற்ற கழகங்களின் வளர்ச்சி இவர்களை பாதிக்கிறது. இதை முனியிலேயே கனிய வேண்டுமென்ற எண்ணத்தின் எதிரொலிதான் இந்த துப்பாக்கிப் பிரயோகம், தடியடி எல்லாம். தங்கள் அடிமைத்தனத்தைப் போக்கிக்கொள்ள அவர்கள் சாத்வீக முறையில் போராட்டம் நடத்தும்போது சர்க்கார் அவர்கள் மீது துப்பாக்கிப் பிரயோகம் செய்வது வெறுக்கத்தக்கதாகும். பலாத்காரத்தை உபயோகித்து எந்த இயக்கத்தையும் நசுக்க முடியாது. இதைச் சரித்திரம் கூறுகிறது. காங்கிரஸ் இயக்கம் பிரிட்டிஷ்காரர்கள் துப்பாக்கி முனியில் வளர்ந்தது என்பது உலகம் அறிந்த விஷயம். காங்கிரஸ் பலம் அதனால் பெருகத்தன் பெருகிற்று. அதே போல் கடந்த காங்கிரஸ் சர்க்கார் கம்யூனிஸ்டுகளின் மீது கடுமையான பலாத்காரத்தை சென்ற காலத்தில் உபயோகித்து வந்ததின் காரணமாகத்தான் தற்காலத்திலே அவர்கள் செல்வாக்கை அடைய முடிந்தது. அதேபோல் இந்தச் சர்க்கார் திராவிட முன்னேற்றக்கட்சியின் மீது பலாத்காரச் செயலை செய்ய முற்படுவது அந்தக்

21st July 1953]

[Sri S. Radhakrishnan]

கட்சியின் வளர்ச்சியைத் தான் அதிகப்படுத்துமே தவிர அவர்களின் தன்மான இயக்கத்தை ஒரு நாளும் அழிக்க உதவாது. எவையும் சமாதான முறையில், சாதவீகமான முறையில் தீர்த்துக்கொள்ள வசதியிருக்கும் போது பலாத்காரத்தை உபயோகித்து சாதித்துக்கொண்டு விடலாமென்று மாதிரம் யாரும் எண்ணக்கூடாது. மக்களை மாக்களாக நடத்தி அந்த மமதையிலே வீற்றிருந்த ஜார் மன்னன் மண்ணைக் கவ்வினதை சரித்திரம் தெரிந்த ராஜாஜி மறந்திருக்கமாட்டார் என்று எண்ணுகிறேன். இந்த துப்பாக்கி பிரயோகங்களின் உள் அர்த்தமே வெறுக்கப்படுகிறது. ஏன் சுட்டுத் தள்ளினார்கள் எத்தனைபேர் செத்தார்கள் என்று ஆராய்வதைவிட அதன் உள் நோக்கத்தை பற்றித்தான் நமது கவலை. சரித்திரகால ஆரம்பத்திலிருந்து ராமாயண காலத்திலிருந்து திராவிட ஆரிய போராட்டம் நடந்து வருகிறது. அப்போராட்டத்தின் கடைசி கட்டம்தான் தூத்துக்குடி, உல்லக்குடி துப்பாக்கி பிரயோகங்கள் என்று நான் நிச்சயமாக கூறமுடியும். கனம் ராஜகோபாலாச்சாரியார் அவர்களை நான் கேட்கிறேன். தூத்துக்குடி போன்ற இடங்களில் சூறையாடப்பட்டது. ரயில் பாலங்கள் கொளுத்தப்பட்டது. என்று சொல்லுகிறார்களே. அவைகளினால் எவ்வளவு நஷ்டம் ஏற்பட்டு இருந்தாலும் அதை ஈடு செய்யக்கூடிய பணத்தை திராவிட மக்களிடமிருந்து திரட்டிக் கொடுக்க முடியும். ஆனால் இறந்து போன பத்து அல்லது மந்திரியார் கூறுவது போல் ஆறு திராவிட மணிகளின் உயிர்களை அவர்களால் திருப்பிக் கொடுக்க முடியுமா? எங்கோ ஒரு புது கிராமத்தில் ஏமாயிரம் அல்லது எட்டாயிரம் நஷ்டம் ஏற்பட்டாலும் நான் ஒரே நாளில் திரட்டிக் கொடுப்பேன் என்று திராவிடர்களின் சார்பில் சொல்லுகிறேன்? ஆனால் உங்களது மிருகத்தன்மான செய்கைக்கு 10 திராவிடச் சிங்கங்கள் பலியாகி விட்டதே. அவர்களின் தாய்மார்கள் அலறுகிறார்களே. வற்றாத ஓடையாகக் கொட்டிக்கொண்டுக்கும் அவர்களின் கண்ணீரை நிறுத்தும் படி செய்ய உங்களால் முடியுமா? இதற்கு அரசாங்கம் என்ன பதில் சொல்லப்போகிறது? நான்கு நாட்களாக மௌனம் சாதிக்கிறதே. இன்று என்ன பதில் சொல்லப்போகிறதென்று தான் கேட்க விரும்புகிறேன். திராவிட இனத்தை, திராவிட எழுச்சியை நசுக்குவதற்கு கனம் ராஜகோபாலாச்சாரியார் உபயோகிக்கும் அடக்குமுறையே அவரது ஆட்சியின் முடிவை நெறுங்க வைக்கிறதென்பதை அவர் உணர்ந்து கொள்ள வேண்டும். நாய்களுக்கு முன் வால் ஆடும் என்று கனம் ராஜகோபாலாச்சாரியார் சொல்லியிருக்கிறார். அதையொட்டி அவருடைய கொடிய ஆட்சிக்கேற்ப கலைக்கர்களுடைய துப்பாக்கிப் பிரயோகம் இருக்கிறது.”

MR. SPEAKER:—“The Leader of the Opposition.”

SRI S. DEIVASIGAMANI:—“I want to speak, Sir. Please allow me two minutes.”

MR. SPEAKER:—“I have to follow the rules of the Assembly. It is not possible to allow all Members to speak. Mr. Deivasigamani may speak.”

* SRI S. DEIVASIGAMANI:—“Sir, I rise to enter my emphatic protest against the indiscriminate and brutal shooting that took place at Dalmiapuram and Tuticorin. I do not want to repeat what my hon. Friends have said on the floor of the House. But I fully associate myself with the sentiments that have been expressed and I condemn the acts of those officers of the Government who ordered shooting of the people in those places.”

* SRI M. PALANIYANDI:—“கனம் சபாநாயகர் அவர்களே! நான் நேற்றைய முன் தினம் பாலம்யாபுரத்தில் இறந்தவர்களுடைய வீடுகளுக்கு நேரில் சென்ற காலத்தில் தாலியையும், தனையையும் இழந்த தாய்மார்கள் அழுத கண்ணீரைக் கண்டேன். அவ்வழகைக் கண்ணீர் துடைக்கப்படுமா? துடைக்கப்படாது. பெருக்கெடுத்து ஓடும் அவர்கள்

[Sri M. Palaniyandi]

[21st July 1953]

கண்ணீர் காருண்யமற்ற முறையில் மிருகத்தனமாக நடந்து கொண்ட இந்த சர்க்காரை ஒழிக்குமென்று சொல்லிக்கொண்டு முடித்துக்கொள்ளுகிறேன்.”

* SRI P. RAMAMURTHI:—“ Mr. Speaker, Sir, when I gave notice of the adjournment motion five days back, I was confining myself to one particular subject and that subject was the action of the subordinate officials at Tuticorin and Dalmiapuram in ordering shooting at an unarmed crowd as a result of which certain people have died. I am not now bothered about the number of people dead. I am not going to enter into a dispute with regard to the number of people that died. Subsequently when to-day the motion has been taken up for discussion, I am afraid that the subject on which I wanted to concentrate has been diverted and a number of speeches have been made on the floor of the House, both on this side and on the other side of the House, on the merits of the particular movement and the incidents that have happened as a result of that movement. There will be, I am sure, and there are big differences of opinion with regard to the aims of that movement and with regard to the forms that the struggle should take. For example, some of us feel that the unity of the democratic movement in this country, the unity of the peasant movement in the country, the movement of the working classes in the country, which are struggling against a common enemy, against the feudal reaction and imperialism must be maintained and any kind of action to disrupt this unity will not help the people of India or the people of Tamil Nad itself. But I am not going to enter into a discussion on this aspect of the question. I have got great faith in our people because I have moved with them, the people of Tamil Nad, the people of Andhra and the people of Malabar and I also know that it is possible for me by means of argument and persuasion to make them realize the truth of anything. Now coming to the incident of the 15th, the question here is whether the shooting at both the places was justified and for this purpose, let me tell you, Sir, I am not going to rely on the report of the enquiry that is now going on, because I do not want to give an opportunity to the Chief Minister to say ‘we are having certain facts, certain allegations have been made and certain statements have been made on the floor of the House and the matter is still under enquiry and under such circumstances, when a complete picture of the incidents is not available, I cannot accept your statement.’ But we have certain facts, certain unassailable facts from the Chief Minister and let us look into those facts of the case. It is an admitted fact that on the 15th, two young officials, both in the thirties, were on the spot where the incidents took place and ordered firing. Are we to believe that these officials have had no experience of dealing with people? I have often addressed a number of hostile audiences. I have addressed meetings in a number of places where there were terribly hostile audiences who wanted to shout me down and threw stones at me. Did I say then, had I a gun I would have managed the crowd? (Interruption by the Hon. Sri C. Rajagopalachari. ‘We have got immense faith in the goodness of the people.’) Unfortunately all these officials having

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been trained under British Imperialism, having been trained by the Congress Ministry in 1946-51 have a particular mentality. It is the mentality that has no faith in the people. They want that they should be obeyed by the people. After all, can we forget that between 1948 and 1951 there were a number of shootings in this Province. In Salem 28 young men were shot dead.

“ Sir, when I was in Kashmir talking to responsible Government officials and responsible members of the Kashmir National Conference, one gentleman asked me—I was ashamed to hear that —‘ when 28 of the finest flowers of Indian youth were shot down in Salem Jail then it is called patriotism, why when somebody dies in spite of best efforts that we have made, it is called communalism?’ I could not answer this. In Salem, people were shot down. In Andhra people were shot down; in Tanjore people were shot down; in Malabar people were shot down. What was the attitude of our Chief Minister then? He himself said that a certain mentality had been developed in the officials by the Bureaucracy and called it the wooden bureaucracy. To-day, simply because our Rajaji has assumed office as Chief Minister, are we to believe that suddenly their entire mentality changes overnight and that everything changes? I cannot understand that. The Hon. Chief Minister himself does not believe it, but he has to defend them on the floor of this House. That is exactly the position to-day.

“ But, had the Chief Minister, for example, understood that that is their mentality and felt that therefore it was very necessary to assuage public feeling, and to put the officers in their proper places if he had gone into the whole question and ordered a public enquiry into all these allegations and tried to find out the causes of the shootings, then the officers’ mentality would have been different. But that is not the case.

“ Sir, the other day, the Hon. Chief Minister told us that these officials who are doing a brave act are heroic people and ‘ we cannot do anything which would redound to their discredit’. I would like to ask ‘ is shooting on unarmed people a brave act, a heroic act?’ I cannot imagine a more cowardly act than these shootings. (Applause from Opposition Benches.) After all, some people had thrown stones. What does it matter? If they had the guts, the capacity to brave that and if they had taken steps to talk to the people, to persuade them and appeal to them, I could understand these ‘ brave men’. But most cowardly, at the slightest commotion they resorted to shooting on the people and such men are defended on the floor of this House and called brave men. Then, the connotation, the meaning of ‘ bravery’ is entirely different for Rajaji from what I understand by that word.

“ Sir, I will take up the other question. We are asked not to prejudge the issue. Who has been trying to prejudge the issue? Is it the Chief Minister or is it we who prejudge the issue? All that we have stated is that we want to be sure of a public enquiry which will be above board, completely; an enquiry must be conducted by a Committee against the personnel of which nobody could say anything and about which everybody would be agreed

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that 'this is an impartial committee; these are people who can go into the question without being influenced by other consideration! What does Rajaji tell us? He tells us that the 'executive have got to be protected'. Whatever the Government, whatever the party, is it the first and fundamental duty to protect the executive? Well, I have got a different conception. The first and foremost duty of any party that has got a modicum of claim to the welfare of the people is to protect the interests of the people first and not the executive. That is how we understand it. If the executive acts properly, then certainly the interests of the people will be far more paramount and they will get the first place for protection. We cannot think in terms somehow or other of protecting the executive. Therefore, Mr. Rajaji's entire consideration, the whole outlook with which he approaches this problem is the stand that this executive has got to be protected. In 1946 to 1951, the previous Congress Ministries also shot down people in Golden Rock, in Tanjore and in various other places. They also had the same consideration—that the working class should be shot down—Sivaraman in Tanjore and hundreds of other people in other places were shot dead. They also said that the executive must be protected; it did not matter if people were shot dead. That is the same mentality handed down to us by the British Government.

"Sir, we are supposed to be free, we are supposed to have won freedom. Nonetheless, I must point out that Mr. Rajaji is still suffering from an intellectual slavery to the British Imperialistic ideology, to that same ideology, to the same ideas that have been handed to him who is an admirer of the British systems and that is despite the fact we are supposed to have won freedom.

"We are now concerned with the fact whether the executive at that time—I am not going into the question of the entire executive—acted properly. 'There were certain officers who have behaved in a particular way. Have they behaved properly and in the interests of the people? That is the specific question with which we are concerned. What is the evidence? What is the un rebutted evidence? Evidence available so far, statements which cannot be contradicted and the facts are, that two men unconnected with the people who have never to do anything with the people, these men suddenly lost their heads and ordered firing. They have got the power to order firing, when according to them, some people were throwing stones. What is the story of the other side? One constable was injured and immediately, according to their own statement, the officer said, "Go on, shoot down." Granting that the situation had become uncontrollable, granting that he was an officer who was incapable of going and talking to the people and persuading them, granting all that, what were the other methods? Was the crowd asked to disperse and did they wait till the crowd dispersed? It is common ground, admitted on all hands, that there were other ways of dealing with this situation.

"Sir, firing was ordered. That question is not disputed. Why was not tear gas provided? It will be told by them that at Tuticorin and in the other place tear gas squads were not available and that there was no stock of tear gas.

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“ Here is Rajaji who tells us that he had the foresight, long before—for the last one month—reading the literature and writings of these people in the papers conducted by them, he had the fore-thought to imagine that some such thing would develop. He also tells that he had dealt with large mass movements. Therefore, knowing full well, having had enough experience of dealing with large masses, he expected that some such thing would happen. I would like to ask: if the Hon. Mr. Rajagopalachariar had expected some such thing to happen—I am sure he did expect, why were not instructions given and why was it not possible to see that sufficient supplies of tear-gas bombs were also made available at every place so that resort to firing need not have been had? It is precisely because they can make the charge, where the people do not behave well, they can shoot. The mentality behind is ‘ we have the power and the tear-gas which makes the people run away because of asphyxia; we have got ‘ danda ’ in our hands; with that ‘ danda ’ we shall try to suppress the people ’.

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“ Sir, let me now turn to the question of public enquiry. The other day when I moved the adjournment motion on the arrest of Mr. Annathorai and certain other leaders, I had warned at that time that the Hon. Mr. Rajagopalachariar, having dealt with public affairs, having been connected with mass movements, ought to know what exactly would be the reactions of the people. We know, for example, in August 1942 the moment the leaders of the Indian National Congress were arrested—Mr. Rajagopalachariar thought that that movement was different and it is a different matter and we are not concerned with it, immediately the people got infuriated. So, in dealing with these mass movements, I wish to tell him, ‘ Don’t follow the policies that have been followed by the British Government ’. They will lead us into more and more troubles and they will lead us into a situation when we cannot discuss dispassionately our differences in a calm and cool atmosphere, so that the democratic movement as a whole in this country can go forward and the attention of the people may not be diverted from the basic issues which are affecting them tremendously, viz., mass unemployment, land to the tiller, indebtedness of the peasantry, etc. On all these questions, the people want to struggle and struggles are taking place. But your actions will lead us to a situation when the attention of the people will be diverted from the basic issues. Your actions are definitely calculated for the purpose that the people’s problems will not come more and more to the forefront because the Government as it is constituted to-day is not capable of solving any of the problems. They can only aggravate them. The Hon. Mr. Rajagopalachariar says, ‘ I have ordered a public enquiry. Why do you organize all these things ’. Having done all these things, a public enquiry is ordered. What is the sort of public enquiry that is now instituted? Leave alone the officers with whom I am not now concerned and the hon. Member, Sri P. B. K. Rajachidambaram, has dealt with them clearly. People are arrested and kept in jail. As far as the common people are concerned, they have shot them. All these things have created

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a terror in their minds. The officers who are responsible for shooting in Tuticorin and Dalmiapuram are sitting there in the public enquiry. After all we know these officers and we are accustomed to these officers. The Hon. Mr. Rajagopalachari knows, being himself a criminal lawyer, what the method of the prosecution is and how exactly the police cook up evidence. (The Hon. Sri C. Rajagopalachari: 'I was a defence lawyer also.') You might have been a defence lawyer and you might have known how to cook up defence case also and I am not now concerned with that. Having known the police officers and how they cook up prosecution evidence, we still depend upon their evidence. They are perfectly free to cook up evidence and place their so-called evidence before the Court. So far as the public enquiry is concerned, terror regime having been started, people having been shot dead and most of the important people having been removed to the jail, a public enquiry is now started so that the truth can be sifted. How do you expect to get at the truth? This is the sort of public enquiry we have now. For example, in Tuticorin, when the public enquiry was started, our comrade who attended the enquiry told me, when he wanted to cross-examine the official witnesses, he was told, 'You cannot cross-examine the official witnesses and their statement must be accepted.' When the public are denied even this, we still call it a public enquiry. As far as the public are concerned, they can go and sit there. It is a farce of a public enquiry. In this sort of enquiry, no truth will come out and it will only result in whitewashing the whole affair. I am not now concerned with the movement and all that. I am concerned with lives and facts. Unless these police officials, these bureaucrats, these Government officials are told that they cannot deal with the people in this manner, the people's democratic movement in this country cannot go forward and the people will not be able to assert their rights under the reign of terror. That is why I demand that there must be a proper enquiry with public men who are unconnected with the affair and who may not be amenable to the pressure of officialdom and that is the least that the Government can do. If they cannot do, it means it is an attempt to screen the officers and somehow or other protect them. Therefore, Sir, I press my adjournment motion."

* THE HON. SRI C. RAJAGOPALACHARI:—"Mr. Speaker, Sir, at the outset I must point out that I am at a great disadvantage relatively. While I may have the advantage of having information from official quarters, I have not the advantage of the perfect freedom of language which the Opposition could enjoy. The Opposition generally has little limitations in such matters. But to-day they have shown that they can enjoy even more liberty than ordinarily is enjoyed by the Opposition when dealing with such matters, when the Government is extremely tolerant of such virulence of language. If only we exercised our imagination, if even in the Assembly such language could be indulged in, we could see what could be indulged in outside, in the countryside, not to speak of the newspapers for which I think, if I may use a common phrase, I have given the longest rope in the last few

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months. So far as language-newspapers are concerned, I have not made the least attempt to interfere or to correct or to limit the freedom of language that is enjoyed by them. It is hardly to be called freedom in common parlance. I am using that phrase here for the sake of clear understanding and I shall not call it a licence or violent language. I just call it freedom and that is enough for the purpose at present. We know what freedom of language is and we have an illustration of it. Not only can they use such language but the Opposition is entitled to make any kind of allegations in such a debate. Anything might be said but I cannot answer them with a sense of responsibility in view of the enquiry. They can allege freely; I cannot answer freely. I will have to keep in mind always the fact that we must await the result of the enquiry, to say what exactly took place. I cannot talk away as Mr Ramamurthi or some other Members have done. As regards the allegations, it is of course perfectly open to the Members of the Opposition to say that ten people died and this and that. I tried to interrupt, even against my immediate inclination, as it was concerned with the number of lives. Loud observations were made enlarging the number of dead. People outside may accept the figures because it had been said on floor of the House. It was that wrong impression that I wanted to correct. That was why I interrupted to say to them. 'Look here, my friends. It is only six, four in Tuticorin and two in Dalmiapuram. It is not ten. It is only six.' It was only to correct a major misconception in the matter that I rose. With regard to other allegations that 'so and so stood there,' 'so and so had wished to do a particular thing,' 'a circular had been issued to shoot down people,' 'detailed instructions had been given to shoot down only the Communists and this and that'—I cannot go on contradicting and examining their allegations one after another. In fact it was not necessary. I cannot reply off-hand just as the Opposition alleges off-hand. A Chief Minister or a Minister as such is bound by certain restrictions, whereas Opposition Members are not bound by such restrictions. So let it not be understood because I did not controvert those various allegations that were made, I am admitting them or anything of that kind. The other day I gave a very brief statement of facts, I mean facts, regarding the incident that took place in Tuticorin and Dalmiapuram. Here again the opposition have re-stated their viewpoints, of course in much more vehement language. I could have really done full justice to the discussion, if I had the time, to go into the actual details and the ascertainment of facts. I should have read the note that I had received as regards what exactly took place, how the events developed and all that. I have some more definite information on that subject *to-day* than what I had the other day when I made that brief statement, at the time the motion was first moved in the House. I had time to make further enquiries into the matter. I have more details with me now. But of course if I were to read that now I could be blamed for wasting the time of the House. So I shall not do so. The Opposition instead of waiting for more details, which would be forthcoming after the full enquiry

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is over, is now pressing the motion. So I shall deal with the motion now. I would have to deal with the matter straight. I would try not to take up the time of the House reading reports about facts and incidents lest I would be charged with having talked out the motion. It would have been more satisfactory if I could deal with the arguments in detail. But in the present atmosphere it would not be right for me to do so.

"Let me now ask, what is the net result of this debate now? I am rather a little bit confused, on account of the line taken by the Opposition because as a somewhat experienced man with reference to human feelings and emotions, I can well analyse the reasons and the causes that led to the present strange double approach. I shall only state my own impression. I find two lines of analysis, I think 'approach' would be a better word. One is that the whole of this commotion (I am using a neutral word) was due to the desire of the 'community' or the 'nation' that is called the 'Dravidian nation' trying to overcome the domination, as it is stated of the people called the 'people of North India', that it was the main cause for the demonstration, that the names of stations were named wrongly, that a particular station was named as Dalmiapuram, that the leaders of the 'Dravidian Nation' thought that it should be altered to 'Kallakudi' and that this alone was the sole motive behind the whole agitation and that this had nothing to do with the educational scheme, that we should not confuse it with the educational scheme and all that.

"It had been stated that the purpose of the agitation could be traced to the desire of the so-called 'Dravidian' people to rebel against North Indian domination or sovereignty. Somebody stated that the 'Dravidians' wanted to establish their own independence and the independence of the Dravidians as a whole both in the cultural, political and other fields. Great emphasis had been laid on this by a speaker from the Opposition side who said: 'This debate is not the end of the matter. We must carry on our agitation. We must continue in spite of difficulties. We must maintain it as a general agitation to see to it that the 'Dravidian' nation is carved out as an independent people from the rest of India, that the Upper India people, should be separated from us and we should consider them as our enemies, our conquerors and exploiters and we should get rid of them. That is our main object. This debate is only a part of our agitation'. That seems to be the aspect from which this matter has been approached by some people and that was last emphasized by a speaker from that block who said: 'Never mind the deaths. We can bear it all. But we must maintain the battle so to say, between the Dravidians and the North Indians.) That is one colour given to this commotion. Equally important, though not followed by many speakers, were the speeches of the two speakers. I mean, Mr. Kalyanasundaram and Mr. Ramamurthi. They were not quite happy, if I may be permitted to make such observations, with the line that was taken by the Dravida Kazhagam members. It was but natural, Sir. The Communist Party is not only an intellectual party but a party not to be moved by domestic passions.

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They are far more moved by international politics. They are far more inclined to look upon the whole world as field for exploitation and total exploitation (cheers). They do not desire the world to be split up into parts. They want total exploitation, nothing short of that. I agree with them in a certain sense. I quite agree that their object is a nobler object than that of self-styled Dravidians. Their object is nobler than that of dividing the so-called Dravidians from the so-called Aryans. The point they wished to make was that this commotion, that is to say, shooting down of some 'Dravidians', was not in reality intended to quell the Dravidian agitation. 'Do not be misled, my friends, by such a false notion' this is the purport of the speech made by the Communist Party members. They made it of course in a more oratorical way, than I can ever command. It is a habit with me always to speak a little less oratorically than I would be inclined to. But this time the Communist members have tried to speak a little more oratorically than was necessary for the occasion. I admit I cannot attain that pitch,—they want to make out that the whole of this drive was intended to shoot the Communists down, where they were in large numbers. That is the great point that Mr. Kalyanasundaram wanted to make. He began by saying, 'Look at the place where the shooting took place. There are Harveys. Harveys are in Madurai.' What had Madura to do with Melur and Tuticorin, I really do not know. What had Harveys to do with the shooting in Tuticorin—I cannot understand. Yet, Mr. Kalyanasundaram's argument was that Harveys were there and that was why the shooting had taken place. Because the Communists were there and because the Communists are my enemy No. 1, they had been shot. He did not actually say that. But that was in the back of his mind. I know that. Then what about the shooting at Dalmiapuram? Because the Dalmia Cement Works were there and the Communists were working there, the shooting had taken place in Dalmiapuram. Let me say, Sir, that this kind of approach is a strange misinterpretation of the whole agitation. Let me now come to the point.

"The movement of the 'Dravidians' had much more to do with the commotion than the Communist fear. The commotion was started not to fight the North Indians, as is alleged by some. I quite understand and appreciate the 'Dravidian' interpretation because though it is not wholly correct, it is partially correct. The movement of the 'Dravidians', as they call themselves, had some real purpose behind it. Let me prick the bubble of the other theory. It was said the whole agitation started because Mr. Nehru had used the word 'silly' (Mr. Govindaswami Nayagar was heard to remark 'nonsense') in some connexion. Let me tell my friends of the 'Dravida Kazhagam' and 'Dravida Munnetra Kazhagam' that I understand them better than what some others here do. Their opposition is not against Mr. Nehru. Why bring in the name of poor Nehru? I am using, Mr. Speaker, the word 'poor' in a relative sense. The whole movement is directed against me . . ."

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MR. SPEAKER:—"It is now 6 o'clock and the debate will terminate. I wish to know under what rules the Hon. Chief Minister wants to continue."

THE HON. SRI C. RAJAGOPALACHARI:—"I am sorry Sir, I have been stopped at a very interesting point."

MR. SPEAKER:—"The debate is terminated. The House will now adjourn and meet again at 8-30 a.m. to-morrow."

The House then adjourned.



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APPENDIX I.

[Vide answer to starred question No. 778 asked by Sri M. Kalyanasundaram at the meeting of the Legislative Assembly held on 21st July 1953, page 761 supra.]

Statement showing the number of constables of Madras City Police discharged, removed or dismissed from service, number suspended, etc.

(a) & (d). The number of constables in Madras City who have been discharged or removed or dismissed from service after 2nd January 1953 up to date is 75. Of these, 67 were dismissed from service after due enquiry held under emergency provisions. The remaining eight were dismissed as follows :—

For neglect of sentry duty	1
For desertion	1
For indisciplinatory conduct towards superior officer.	1
For receiving illegal gratification ..	2
For unsatisfactory work and conduct (probation terminated).	1
For corruption	1
For an offence under section 380, I.P.C. (convicted).	1
	8

In the eight cases mentioned above the detailed procedure as laid down in the Madras Police Subordinate Services Discipline and Appeal Rules, 1950, was followed.

(b) The number of constables in Madras City who have been suspended and whose cases are still pending enquiry is 58. Of these 49 constables were involved in the recent City Police unrest. Details of the charges pending against the remaining 9 constables are as follows :—

Offences under Prohibition Act and offences such as committing robbery—Cases pending in Court.	3
Fraudulent enlistment	1
Offence under Prohibition Act (convicted).	1
Trespass and extortion of money by threat.	2
Neglect of duty in allowing a prisoner to escape.	1
Misbehaviour towards a woman	1
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(c) The number of constables in Madras City who have been punished otherwise than either by dismissal, discharge or suspension is 185, as shown below:—

Number of constables.	Punishment awarded.	Charges.
(1)	(2)	(3)
8	.. Postponement of increment.	Indisciplinary conduct in connexion with the recent City Police unrest.
16	.. Reduction	Do.
1	.. Do.	.. Misbehaviour and insubordinate conduct towards superior officers.
1	.. Do.	.. Misuse of Government property.
47	.. Blackmark	.. Absence from duty without leave.
11	.. Do.	.. Absence from parades.
17	.. Do.	.. Disobedience of orders.
16	.. Do.	.. Slackness while on sentry duty.
1	.. Do.	.. Neglect of duty in having allowed a prisoner to escape.
40	.. Do.	.. Absence from night rounds duty, cinema bandobust duty, etc.
7	.. Deferred blackmark	.. Absence without leave or permission.
5	.. Do.	Slackness on sentry duty.
3	.. Do.	Disobedience of orders.
12	.. Do.	Absence from night rounds duty, cinema bandobust duty, etc.
185		

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

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APPENDIX II.

[Vide answer to starred question No. 781 asked by Sri P. Ranga-swami Reddiar at the meeting of the Legislative Assembly held on 21st July 1953, page 764 supra.]

Statement showing the number of Sub-Inspectors of Police recruited during 1948-52, the number who completed training in the Police Training College and the number absorbed in Government service (communitywar).

Community,	Number of Sub-Ins- pectors recruited during 1948-52.	Number of Sub-Ins- pectors recruited during 1948-52 who completed training in the Police Train- ing College.	Number of Sub-Ins- pectors recruited during 1948-52 who were absorbed as Sub-Inspectors after completion of train- ing.
(1)	(2)	(3)	(4)
Brahmans	139	134	106
Non-Brahmans	394	389	330
Christians	69	68	67
Muslims	9	8	1
Backward Class	113	103	78
Scheduled Castes and Scheduled Tribes.	102	93	70
Total ..	826	* 805	† 642

* Twenty-one candidates out of those recruited either resigned their appointment or were discharged from service while under training in the Police Training College.

† One hundred and thirty-four candidates out of those who completed training in the Police Training College are under practical training in the districts and 29 either resigned their appointment or were discharged from service while under practical training.

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APPENDIX III.

[Vide answer to starred question No. 792 asked by Sri S. Vemiah at the meeting of the Legislative Assembly held on 21st July 1953, [page 771 supra.]

STATEMENT I.

Statement showing the water-supply schemes either in progress or to be taken up in the five years from 1951-52 to 1955-56.

Name of the scheme.	Whether the scheme is a new one or one already approved and in progress.	Total cost of the scheme.
(1)	(2)	(3)
		RS.
		LAKHS.
1 City distribution system improvement	Sanctioned and in progress.	15.29
2 Further estimate for distribution system improvement.	Do.	4.76
3 Water-supply to Gandhinagar layout	Do.	4.36
4 Water-supply to Alagappa Nagar layout	Do.	2.77
5 Construction of second conduit from Red Hills to Kilpauk.	Completed ..	54.00
6 Laying of separate trunk main for South Madras ..	Sanctioned and in progress.	34.56
7 Duplication of 48" pumping main from Kilpauk pumping station to shaft.	Sanctioned ..	8.11
8 Acquisition of land west of Kilpauk pumping station ..	Sanctioned scheme.	2.50
9 Laying 24" C.I. main in the bed of Cooum at Munroe Bridge, Chetput.	Do. ..	0.59
	Total ..	<u>126.94</u>

STATEMENT II.

List of new schemes proposed to be taken up during the five-year period 1951-52 to 1955-56.

Name of the scheme.	Whether the scheme is a new one or one already approved and in progress.	Total cost of the scheme.
(1)	(2)	(3)
		RS.
		LAKHS.
1 Provision of water-supply to Nungambakkam western section Town-Planning area.	New scheme ..	0.67
2 Overhauling steam pumping unit No. 3 at Kilpauk pumping station.	New scheme under execution.	1.00
3 Overhauling steam pumping unit No. 1 at Kilpauk pumping station.	New scheme ..	1.25
4 Emergency water-supply scheme	New scheme under execution.	11.60
5 Installation of deep bore wells and ordinary shallow wells for water-supply to local bodies.	New scheme ..	6.00
6 Sinking wells in public conveniences fitting up with electric pumps (100 Nos. at Rs. 4,000).	Do. ..	4.00
7 Metering water-services to garden houses in city (5,000 Nos. at Rs. 200).	Do. ..	10.00

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STATEMENT II—cont.

List of new schemes proposed to be taken up during the year five period 1951-1952 to 1955-56—cont.

<i>Name of the scheme.</i>	<i>Whether the scheme is a new one or one already approved and in progress.</i>	<i>Total cost of the scheme.</i>
(1)	(2)	(3)
		RS. LAKHS.
8 Installation of rapid mechanical filters at Kilpauk water works.	New scheme. ..	77.50
9 Diesel standby Unit for the Kilpauk pumping station.	Do. ..	12.00
10 Additional filter water tanks (6 Nos.) at Kilpauk pumping station.	Do. ..	15.00
11 Construction of quarters at Kilpauk water works including construction of the compound wall to accommodate the mechanical filters staff.	Do. ..	4.00
12 Branch main to connect the trunk main No. 8 with existing distribution system.	Do. ..	6.00
13 Further distribution system to Mambalam Town-Planning area.	Do. ..	6.46
14 Providing water-supply to North-west Madras, Sembium and Iyanavaram (extended areas).	Do. ..	14.20
15 Providing water-supply to newly extended areas west and south of the city, viz., Kodambakkam, West Mambalam, Saidapet and Guindy including provision of O.H. tanks wherever necessary worked out on the zonal system of distribution.	Do. ..	58.00
16 Separate trunk main for North-east Madras including Tondiarpet and Washermanpet, etc.	Do. ..	30.00
17 Fixing large bulk meter on feeder mains in various zones in the zonal system of distribution under proposal (59 Nos. at Rs. 4,500).	Do. ..	2.25
	Total ..	259.93

APPENDIX IV.

[Vide answer to starred question No. 799 asked by Sri P. Rangaswami Reddiar at the meeting of the Legislative Assembly held on 21st July 1953, page 776 supra.]

Financial Assistance from the Government of India—1947-48 to 1952-53.

The financial assistance sought for by the Madras Government from the Government of India during the period 1947-48 to 1952-53 was under the following main categories:—

(i) Loans for financing capital outlay on Irrigation and Electricity Schemes and specific Grow More Food Schemes.

(ii) Short-term loans for financing Intensive Manuring Schemes and Cotton Expansion Schemes and ways and means advances.

(iii) Grants for Financing unproductive Development Schemes and Grow More Food Schemes.

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(iv) Grant for famine expenditure.

(i) and (ii)—Loans.

	Amount asked for	Amount given.	Remarks.
(1)	(2)	(3)	(4)
	RS.	RS.	
	LAKHS.	LAKHS.	
A. Loans for Development Schemes—			
1947-48 ..	600.00	600.00	The State Government did not raise any loan in the open market during these two years.
1948-49 ..	300.00	300.00	
1949-50 ..	1,000.00	Nil.	The Government of India agreed to give a loan of Rs. 6 crores in the first instance but on a final review of their budgetary position, they intimated in the middle of the year that they could not give any loan. (It was too late to raise a loan in the market, after the receipt of the Government of India's final decision.)
1950-51 ..	800.00	Nil.	
1951-52 ..	*	600.00	The Government of India's loan was for financing the expenditure on the Tungabhadra and Lower Bhavani Irrigation Projects only. (An open market loan of Rs. 301.49 lakhs was raised in the year by this Government.)
1952-53 ..	*	734.00	
B. Loan for famine expenditure—			
1952-53 ..	..	200.00	
C. Loans for Grow More Food Schemes—			
1947-48 ..	..	..	
1948-49 ..	..	..	
1949-50 ..	..	..	
1950-51 ..	136.32	136.32	Of this loan, a sum of Rs. 1.32 lakhs was repaid in 1951-52.
1951-52 ..	122.92	59.26	A sum of Rs. 2.26 lakhs sanctioned in 1951-52 was actually credited in 1952-53 only.
1952-53 ..	135.21	135.21	A sum of about Rs. 30 lakhs may have to be refunded in 1953-54, according to the conditions attached to the loans.

* Maximum extent possible for an estimated expenditure of Rs. 20 crores.

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(i) and (ii)—*Loans*—cont.

	Amount asked for.	Amount given.	Remarks.
(1)	(2)	(3)	(4)
	RS.	RS.	
	LAKHS.	LAKHS.	
D. Loans for Industrial Housing Schemes—			
1951-52 ..	9'00	9'00	The loan was repaid in 1952-53 as the industrial employers for whom the loan was obtained dropped out of the scheme.

E. Loans for Community Projects—

1952-53 ..	87'00	3'97	As regards the balance of Rs. 83'03 lakhs required for deepening of wells, and electrification of areas for irrigation purposes, the matter is still under correspondence with the Government of India.
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F. Short-term loans—

(1) For purchase and distribution of chemical manures to ryots—			
1951-52 ..	100'00	100'00	Repaid before the end of the year.
1952-53 ..	100'00	100'00	Do.
(2) For purchase of cotton seeds for expansion of cotton cultivation.—			
1950-51 ..	10'00	10'00	Repaid in March 1952.
1952-53 ..	10'00	10'00	Repaid in March 1953.

Ways and Means Advances.—During 1952-53, the Government of India gave a total ways and means advance of Rs. 23'31 lakhs, of which a sum of Rs. 6'31 lakhs was repaid before the 31st March 1953, leaving a balance of Rs. 17'00 lakhs at the end of the year.

(iii) and (iv)—*Grants.*

A. Post-war Development Schemes and Grow More Food Schemes.—From 1947-48 to 1949-50, the Government of India were giving block grants to the State Government for financing their Post-war Development Schemes and Grow More Food Schemes. The allotment for grants made by the Government of India was mainly with reference to the funds expected to be available with them. (The Development Schemes included also specific Rural Reconstruction Schemes and Government Khadi Schemes.)

From 1950-51, the Government of India discontinued the grants for Post-war Development Schemes. However, they have continued to give grants for approved Intensive Cultivation

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Schemes, on the basis of a 50 per cent share in the expenditure actually incurred. The figures for the six years 1947-48 to 1952-53 are as under :—

(In lakhs of rupees).							
Amount sanctioned by the Government of India.			Amount actually utilised.			that	
Develop- ment Schemes.	Grow More Food Schemes.	Total.	Develop- ment Schemes.	Grow More Food Schemes.	Total.	Balance lapsed.	
1947-48 ..	Block grant	625.00	229.41	40.38	269.79	355.21	
1948-49 ..	Do.	325.00	186.91	43.03	229.94	95.06	
1949-50 ..	250.00 150.00	400.00	250.00 (a)	194.00	250.00	150.00	
						600.27	
1950-51 ..	173.99	173.99	..	(b) 20.28 (c) 116.30	20.28	153.71	
1951-52 ..	127.69	127.69	..	97.72	97.72 (d)	..	
1952-53 ..	52.19	52.19	..	20.21	30.21 (d)	..	

Explanatory remarks.—(a) The Government of India originally fixed the maximum grant for Grow More Food Schemes for 1949-50 at Rs. 150 lakhs. Subsequently, they imposed a new condition that the subsidy cost of intensive cultivation schemes should first be met from the Procurement Bonus that was given by them. Under the revised orders, only the excess of the total subsidy cost on Intensive Cultivation Schemes, if any, over and above the bonus fund can be met from the separate Grow More Food grant. In 1949-50 there was a large balance in the bonus fund. Consequently, the subsidy cost of Rs. 194 lakhs incurred under Grow More Food Schemes had to be counted against the bonus fund only and the grant was not utilized.

(b) The amount represents the subsidy cost which was in excess of the accumulations in the bonus fund.

(c) Subsidy cost met from the accumulations in the bonus fund.

(d) Represents amounts so far adjusted by the Accountant-General, Madras, based on reconciliation of accounts. Further claims are pending adjustment.

B. Grants for the welfare of schedule tribes.—Since 1951-52, the Government of India are giving grants to meet in part the cost of Special Development Schemes undertaken for the welfare of the scheduled tribes and for the administration of scheduled areas. The amounts realised in 1951-52 and 1952-53 on this account were Rs. 4.00 lakhs and Rs. 8.61 lakhs respectively.

C. Grants-in-aid for Community Projects.—In the Revised Estimate for 1952-53, this Government took credit for a cash grant-in-aid of Rs. 28.82 lakhs from the Government of India for Community Projects. The amount actually adjusted in the accounts has not yet been reported by the Accountant-General.

D. Grants for famine relief measures.—The Madras Government have been asking the Government of India for a grant of Rs. 10 crores for meeting the abnormal expenditure incurred on famine relief measures in 1951-52 and 1952-53. The Government of India have so far agreed to give only a half grant for gratuitous relief, namely, the running of gruel centres in the famine-stricken areas, subject to a maximum of Rs. 48 lakhs.

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(On the basis of the actual expenditure incurred to end of March 1953, the half grant actually sanctioned for this purpose was Rs. 47 lakhs.) As already indicated, the Government of India gave also a loan of Rs. 2 crores in 1952-53 towards the expenditure on relief works and a ways and means advance of Rs. 17 crores on 31st March 1953 in order to clear the overdraft with the Reserve Bank of India, part of which was due to the holding of large stocks of food grains and fertilizers on this Government's account.

E. Grants for Cottage Industries—

Name of the scheme and date of application for grant.	Estimated expenditure.	Amount of grant asked for.	Amount sanctioned and the date of sanction.	Remarks.
(1)	(2)	(3)	(4)	(5)
	RS.	RS.	RS.	
20th August 1951.				
1 Establishment of Cottage Industries—Research Institute.	1,22,000	58,000 plus 3,000 (a lditional grant).	58,000 29th January 1952.	Regarding the additional grant Rupees 3,000, the position is to be reviewed, after the grant already made is spent.
	61,142	30,751	Nil.	Reply still awaited from the Government of India.
2 Village Industries Development Schemes.	7,72,032	50 per cent.	Nil.	} Not sanctioned by the Government of India. No reasons were given for not sanctioning the grant.
3 Sri M. Visveswarayya's Industrialization scheme.	1,11,006	50 per cent.	Nil.	
4 Scheme for the development of woollen textile industry in Rayalseema.	2,15,143	50 per cent.	Nil.	
5 Scheme for the development of marketing of cottage industries products by reviving sales emporia.	12,920	50 per cent.	Nil.	
6 Scheme for training of village oil pressers and village carpenters in the use of Wardha ghani.	9,400	50 per cent.	Nil.	
7 Constitution of Regional Advisory Boards for development of certain selected industries.	1,500	50 per cent.	Nil.	} The Government of India's grant is limited to half the actual expenditure incurred by the State Government.
8 Survey of cottage industries (15th November 1951). Subsequently revised as Rs. 67,000.	97,200	48,600	48,600	

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Name of the scheme and date of application for grant.	Estimated expenditure.	Amount of grant asked for.	Amount sanctioned and the date of sanction.	Remarks.
(1)	(2)	(3)	(4)	(5)
	RS.	RS.	RS.	
20th August 1951—cont.				
9 Establishment of a State Trading Corporation for the match industry, for purchase and procurement and distribution of raw materials (20th October 1952).	3,00,000	1,53,000	Not sanctioned.	The Government of India considered it not advisable to associate themselves with a trading corporation and they stated that they would consider any other scheme this Government might formulate for the match industry.
10 Offering prizes to inventors of labour saving and time saving—appliances in cottage industries (20th October 1952).	35,000	22,500	Do.	Negated by the Government of India as experiments have already been carried on by different institutions and good many improved appliances already exist.

All the above schemes, excepting items 4, 9 and 10 have been sanctioned by this Government.

APPENDIX V.

[Vide answer to starred question No. 836 asked by Sri K. Krishna Rao at the meeting of the Legislative Assembly held on 21st July 1953, page 785 supra.]

Statement showing the officers empowered under section 55 of the Madras Forest Act, 1882, to compound forest offences.

Class of officers empowered to compound offences.	Remarks.
(1) All District Forest Officers and Subordinates of District Forest Officers having the rank of Deputy or Assistant Conservators.	In respect of cases arising in their district.
(2) Conservators of Forests.	
(3) Tahsildars, Independent Deputy Tahsildars, Dependant Deputy Tahsildars, Forest Panchayat or Deputy Tahsildars.	In forest offence cases arising in connexion with unreserved lands and in connexion with lands handed over to forest panchayats for management where the value of the property involved does not exceed Rs. 50.
(4) Collectors of districts.	Within their respective jurisdictions and in cases arising in connexion with unreserved lands handed over to forest panchayats for management.

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*Class of officers empowered
to compound offences.*

Remarks.

- | | |
|---|---|
| <p>(5) Forest panchayat rangers in the districts of Nellore, Bellary and South Arcot.</p> | <p>In all forest offence cases arising in connexion with lands handed over to the forest panchayats for management where the value of the property involved does not exceed Rs. 50.</p> |
| <p>(6) All managers appointed under section 6 (1) of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948, for the management of estates, notified under the said Act.</p> | <p>Within their respective jurisdictions in all cases arising in connexion with lands under their management under the said Act.</p> |
| <p>(7) All officers of the rank of Tahsildars, Deputy Tahsildars and Forest Rangers, working under the Managers appointed under section 6 (1) of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948.</p> | <p>In their respective jurisdictions in all cases arising in connexion with lands under their management under the said Act, where the value of the property involved does not exceed Rs. 50.</p> |

APPENDIX VI.

[Vide answer to starred question No. 829 asked by Sri B. Krishnamurthi Rao at the meeting of the Legislative Assembly held on 21st July 1953, page 787 supra.]

(a) Yes.

(b) The names of the road works proposed under the Five-year Plan are as follows:—

(i) *Formation of new roads.*

- 1 Nanjampeta to Cherukuvaripalli (M. 4).
- 2 Road from 25/2 of Punganur-Pulicherla road to Timminayanipalli (M. 3/4).
- 3 Karasanepalli road via Sattumdoddi (M. 3/6).
- 4 Gundugallu road (M. 2/1).
- 5 Diguwapalle road (M. 4/3).
- 6 Chokkandlapalle road (M. 3).
- 7 Valigatla road (M. 2/4).
- 8 Kottakotta-Durgasamudram road (M. 5/2).
- 9 Turlapalle road via Kolatturu (M. 3/2).
- 10 Vanamaladinne road (M. 4/4).
- 11 Nariganipalli road (M. 2/4).
- 12 Mittachinthavaripalle road (M. 5/4).

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(ii) *Improvement to existing roads.*

1 Providing dustless surface in M. 139/4 of Punganur village limit and in M. 147/4-5 of Idigipalle village limits of Chittoor-Anantapur road.

2 Construction of bridges, culverts and causeways between Somala and Chittoor-Kurnool trunk road junction via Kalikiri at M. 6/8.

3 Undervented road dam in M. 9/4 of Punganur-Mysore Frontier road.

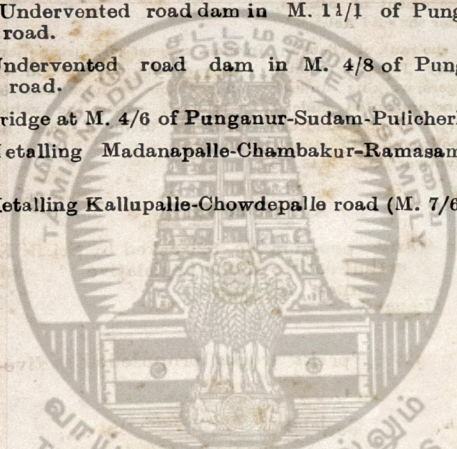
4 Undervented road dam in M. 11/1 of Punganur-Mysore Frontier road.

5 Undervented road dam in M. 4/8 of Punganur-Mysore Frontier road.

6 Bridge at M. 4/6 of Punganur-Sudam-Pulicherla road.

7 Metalling Madanapalle-Chambakur-Ramasamudram road (M. 5).

8 Metalling Kallupalle-Chowdepalle road (M. 7/6).



வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS